United Nations

Report of the Human Rights Council

Sixth session
(10-28 September and 10-14 December 2007)

Seventh session
(3-28 March and 1 April 2008)

Eighth session
(2-18 June 2008)

Fifth special session
(2 October 2007)

Sixth special session
(23-24 January 2008)

Seventh special session
(22 May 2008)

General Assembly
Official Records
Sixty-third session
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The present volume contains the resolutions, decisions and president's statements adopted by the Human Rights Council from 10 September 2007 to 18 June 2008, at its sixth, seventh and eighth sessions, and at its fifth, sixth and seventh special sessions. The resolutions and decisions adopted by the Council from 19 June to 11 August 2006 at its first session and its first and second special sessions appear in the report of the Council to the General Assembly, issued as *Official Records, Sixty-first Session, Supplement No. 53* (A/61/53). The resolutions, decisions and president's statements adopted by the Council from 18 September 2006 to 22 June 2007, at its second, third, fourth and fifth sessions, at its first organizational meeting and at its third and fourth special sessions appear in the report of the Council to the General Assembly, issued as *Official Records, Sixty-second Session, Supplement No. 53* (A/62/53).

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Introduction

1. The Council held its sixth session from 10 to 28 September and 10 to 14 December 2007; its seventh session from 3 to 28 March and 1 April 2008; and its eighth session from 2 to 18 June 2008. The second organizational meeting was held on 19 and 20 June 2008, in accordance with rule 8 of its rules of procedure, as contained in the annex to Council resolution 5/1. The Council held its fifth special session on 2 October 2007, its sixth special session on 23 and 24 January 2008, and its seventh special session on 22 May 2008.

2. The reports of the Council on each of the above-mentioned sessions have been issued in documents A/HRC/6/22, A/HRC/7/78, A/HRC/8/52, A/HRC/S-5/2, A/HRC/S-6/2 and A/HRC/S-7/2.

Resolutions and decisions adopted by the Council at its sixth, seventh and eighth sessions and at its fifth, sixth and seventh special sessions, as well as President's statements adopted by the Council at its sixth and eighth sessions

I. Sixth session

A. RESOLUTIONS

6/1. Protection of cultural rights and property in situations of armed conflict

The Human Rights Council,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Guided also by the principles relating to economic, social and cultural rights enshrined in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling that the Vienna Declaration and Programme of Action (A/CONF.157/23), the 2005 World Summit Outcome (General Assembly resolution 60/1 of 16 September 2005) and Assembly resolution 60/251 of 15 March 2006 that established the Human Rights Council all affirm that all human rights are universal, indivisible, interdependent and mutually reinforcing and must be treated in a fair and equal manner, on the same footing and with the same emphasis,

Recalling also that the General Assembly acknowledged in its resolution 60/251 that peace and security, development and human rights are the pillars of the United Nations system and the foundations for the collective security and well-being, and recognized that development, peace and security and human rights are interlinked and mutually reinforcing,

Acknowledging that human rights law and international humanitarian law are complementary and mutually reinforcing,

Gravely concerned about serious violations of international humanitarian law and human rights law during armed conflicts, in all parts of the world, and their detrimental impact on cultural rights and property,

Recalling the Convention for the Protection of Cultural Property in the Event of Armed Conflict and its Protocols, and stressing the importance of their implementation to protect cultural property,

Reaffirming that the destruction of or any other form of damage to cultural property may impair the enjoyment of cultural rights, in particular of article 15 of the International Covenant on Economic, Social and Cultural Rights,

1. *Calls upon* all States to respect human rights law and strongly urges all parties to an armed conflict to strictly observe and respect, as applicable, the rules of international humanitarian law during armed conflicts, and to respect the rules on the protection of cultural property;

2. *Emphasizes* that each party to an armed conflict is committed under international law to take all necessary steps to protect cultural property through safeguarding of and respect for such property, including cultural property situated in occupied territories;

3. *Strongly condemns* any destruction of cultural property in violation of international humanitarian law, as applicable, during armed conflicts;

4. *Emphasizes* that protection of cultural property during armed conflicts can contribute to the full enjoyment of the right of everyone to take part in cultural life;

5. *Urges* States and encourages intergovernmental and non-governmental organizations to take all necessary measures at the national, regional and international levels to address the issue of protection of cultural rights and property during armed conflicts, paying particular attention to the situation in occupied territories, and to provide appropriate assistance as requested by the concerned States;

6. *Requests* the Secretary-General to bring the present resolution to the attention of all Governments, the competent United Nations bodies, the specialized agencies, regional intergovernmental organizations and international humanitarian organizations;

7. *Decides* to remain seized of this issue and to consider further actions to implement the present resolution.

20th meeting
27 September 2007

[Resolution adopted without a vote.].

6/2. Mandate of the Special Rapporteur on the right to food

The Human Rights Council,

Reaffirming all previous resolutions adopted by the General Assembly and the Commission on Human Rights on the issue of the right to food, including General Assembly resolution 61/163 of 19 December 2006 and Commission on Human Rights resolution 2005/18 of 14 April 2005,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling the resolutions 5/1 "Institution-building of the United Nations Human Rights Council" and 5/2 "Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council" of 18 June 2007 and stressing that the mandate-holder shall discharge his/her duties in accordance with these resolutions and their annexes,

Recalling also commitments taken by the international community to fully implement the Millennium Development Goals, *Recognizing* that the problems of hunger and food insecurity have global dimensions and that they are likely to persist and even increase dramatically in some regions of the world unless urgent, determined and concerted action is taken,

1. *Welcomes* the valuable work and commitment of Mr. Jean Ziegler during his tenure as the first mandate-holder to achieving the realization of the right to food;

2. *Decides* to extend the mandate of the Special Rapporteur on the right to food for a period of three years:

(*a*) To promote the full realization of the right to food and the adoption of measures at the national, regional and international levels for the realization of the right of everyone to adequate food and the fundamental right of everyone to be free from hunger so as to be able fully to develop and maintain their physical and mental capacities;

(*b*) To examine ways and means of overcoming existing and emerging obstacles to the realization of the right to food;

(*c*) To continue mainstreaming a gender perspective and taking into account an age dimension in the fulfilment of the mandate, considering that women and children are disproportionately affected by hunger, food insecurity and poverty;

(*d*) To submit proposals that could help the realization of Millennium Development Goal No. 1 to halve by the year 2015 the proportion of people who suffer from hunger, as well as to realize the right to food, in particular, taking into account the role of international assistance and cooperation in reinforcing national actions to implement sustainable food security policies;

(*e*) To present recommendations on possible steps with a view to achieving progressively the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and as soon as possible enjoy fully the right to food, taking into account lessons learnt in the implementation of national plans to combat hunger;

(*f*) To work in close cooperation with all States, intergovernmental and non-governmental organizations, the Committee on Economic, Social and Cultural Rights, as well as with other relevant actors representing the broadest possible range of interests and experiences, within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in the ongoing negotiations in different fields;

(*g*) To continue participating in and contributing to relevant international conferences and events with the aim of promoting the realization of the right to food;

3. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in his/her task, to supply all necessary information requested by him/her and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries, to enable him/her to fulfil his/her mandate effectively;

4. *Requests* the United Nations High Commissioner for Human Rights to provide all necessary human and financial resources for the effective fulfilment of the mandate of the Special Rapporteur;

5. *Invites* the Special Rapporteur ending the fulfilment of his mandate to submit to the Council in 2008 a comprehensive final report on his findings, conclusions and recommendations, after more than six years as mandate-holder on the right to food;

6. *Reaffirms* that the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the General Council of the Food and Agriculture Organization of the United Nations in November 2004 represent a practical tool to promote the realization of the right to food for all, contribute to the achievement of food security and thus provide an additional instrument in the attainment of internationally agreed development goals, including those contained in the Millennium Declaration;

7. *Requests* the Special Rapporteur to submit a report on the implementation of the present resolution to the General Assembly at its sixty-third session and to the Council in 2008, in accordance with its annual programme of work;

8. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies and civil society actors, including non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of his/her mandate, inter alia through the submission of comments and suggestions on ways and means of realizing the right to food;

9. *Decides* to continue its consideration of this matter under the same agenda item.

20th meeting
27 September 2007

[Resolution adopted without a vote.]

6/3. Human rights and international solidarity

The Human Rights Council,

Recalling Commission on Human Rights resolution 2005/55 of 20 April 2005, and taking note of the report presented to the Council by the independent expert on human rights and international solidarity (A/HRC/4/8),

Recalling also the resolutions 5/1 "Institution-building of the United Nations Human Rights Council" and 5/2 "Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council" of 18 June 2007 and stressing that the mandate-holder shall discharge his/her duties in accordance with these resolutions and their annexes,

Underlining that the processes of promoting and protecting human rights should be conducted in conformity with the purposes and principles of the Charter of the United Nations and international law, *Recalling* the importance, in the view to the promotion and protection of international solidarity, of the declarations and programmes of action of international conferences such as the World Conference on Human Rights held in Vienna in 1993, the International Conference on Financing for Development held in Monterrey in 2002, the United Nations Conference on Environment and Development held in Rio in 1992, the World Summit on Sustainable Development held in Johannesburg in 2002, and the World Conference on Disaster Reduction held in Kobe in 2005,

Taking note with appreciation of the initiatives of the International Action against Hunger and Poverty, particularly in the field of innovative financial mechanisms,

Recalling that at the World Conference on Human Rights States pledged to cooperate with each other in ensuring development and eliminating obstacles to development, and stressed that the international community should promote effective international cooperation for the realization of the right to development and the elimination of obstacles to development,

Reaffirming that article 4 of the Declaration on the Right to Development states that sustained action is required to promote more rapid development of developing countries and, as a complement to the efforts of developing countries, effective international cooperation is essential in providing these countries with appropriate means and facilities to foster their comprehensive development,

Taking into account that article 2 of the International Covenant on Economic, Social and Cultural Rights states that each State party to the Covenant undertakes to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the Covenant by all appropriate means, including particularly the adoption of legislative measures,

Persuaded that sustainable development can be promoted by peaceful coexistence, friendly relations and cooperation among States with different social, economic or political systems,

Reaffirming that the widening gap between the economically developed and developing countries is unsustainable and that it impedes the realization of human rights in the international community, and makes it all the more imperative for every nation, according to its capacities, to make the maximum possible effort to close this gap,

Expressing concern at the fact that the immense benefits resulting from the process of globalization and economic interdependence have not reached all countries, communities and individuals, and at the increasing marginalization from their benefits of several countries, particularly the least developed and the African countries,

Expressing its deep concern at the number and scale of natural disasters, diseases and agricultural pests and their increasing impact in recent years, which have resulted in a massive loss of life and long-term negative social, economic and environmental consequences for vulnerable societies throughout the world, in particular in developing countries, *Reaffirming* the crucial importance of increasing the resources allocated for official development assistance, and recalling the pledge of the industrialized countries to allocate 0.7 per cent of their gross national product for official development assistance, and recognizing the need for new and additional resources to finance the development programmes of developing countries,

Determined to take new steps forward in the commitment of the international community with a view to achieving substantial progress in human rights endeavours by an increased and sustained effort of international cooperation and solidarity,

Asserting the necessity for establishing new, equitable and global links of partnership and intra-generational solidarity, and for promoting intergenerational solidarity for the perpetuation of humankind,

Recognizing that the attention paid to the importance of international solidarity as a vital component of the efforts of developing countries towards the realization of the right to development of their peoples and the promotion of the full enjoyment of economic, social and cultural rights by everyone has been insufficient,

Resolved to strive to ensure that the present generations are fully aware of their responsibilities towards future generations, and that a better world is possible for the present and future generations,

1. *Reaffirms* the recognition set forth in the declaration adopted by the Heads of State and Government at the Millennium Summit of the United Nations of the fundamental value of solidarity to international relations in the twenty-first century, in stating that global challenges must be managed in a way that distributes costs and burdens fairly, in accordance with basic principles of equity and social justice, and that those who suffer, or who benefit least, deserve help from those who benefit most;

2. *Expresses its determination* to contribute towards the solution of current world problems through increased international cooperation, to create such conditions as will ensure that the needs and interests of future generations are not jeopardized by the burden of the past, and to hand on a better world to future generations;

3. *Urges* the international community to consider urgently concrete measures to promote and consolidate international assistance to developing countries in their endeavours for development and for the promotion of conditions that make possible the full realization of all human rights;

4. *Recognizes* that the so-called "third-generation rights" closely interrelated to the fundamental value of solidarity need further progressive development within the United Nations human rights machinery in order to be able to respond to the increasing challenges of international cooperation in this field;

5. *Requests* all States, United Nations agencies, other relevant international organizations and non-governmental organizations to mainstream the right of peoples and individuals to international solidarity in their activities;

6. *Decides*, taking into account the urgent need to further develop guidelines, standards, norms and principles with a view to promoting and protecting the right of peoples and individuals to international solidarity, to request the independent expert on human rights and international solidarity to continue discharging his mandate, subject to the review of this mandate that will be accomplished by the Council in the near future;

7. *Requests* the independent expert to continue his work in the preparation of a draft declaration on the right of peoples and individuals to international solidarity and to submit a report on the implementation of the present resolution at its ninth session (to be held in September 2008), unless otherwise decided by the Council;

8. *Also requests* the independent expert to take into account the outcomes of all major United Nations and other global summits and ministerial meetings in the economic and social fields and to seek views and contributions from Governments, United Nations agencies, other relevant international organizations and non-governmental organizations in the discharge of his/her mandate;

9. *Decides* to continue its examination of this issue at its ninth session under the same agenda item.

20th meeting
27 September 2007

[Resolution adopted by a recorded vote of 34 to 12, with 1 abstention. The voting was as follows:

In favour:	Angola, Azerbaijan, Bangladesh, Bolivia, Brazil, Cameroon, China, Cuba, Djibouti, Egypt, Gabon, Ghana, Guatemala, India, Indonesia, Jordan, Madagascar, Malaysia, Mali, Mauritius, Mexico, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Uruguay, Zambia.
Against:	Bosnia and Herzegovina, Canada, France, Germany, Italy, Japan, Netherlands, Republic of Korea, Romania, Slovenia, Ukraine, United Kingdom of Great Britain and Northern Ireland.
Abstaining:	Switzerland.]

6/4. Arbitrary detention

The Human Rights Council,

Reaffirming articles 3, 9, 10 and 29, as well as other relevant provisions of the Universal Declaration of Human Rights,

Recalling articles 9, 10, 11, and 14 to 22 of the International Covenant on Civil and Political Rights,

Recalling also Commission on Human Rights resolutions 1991/42 of 5 March 1991 and 1997/50 of 15 April 1997, as well as resolution 2005/28 of 19 April 2005,

Recalling further General Assembly resolution 60/251 of 15 March 2006 entitled "Human Rights Council", *Recalling* the resolutions 5/1 "Institution-building of the United Nations Human Rights Council" and 5/2 "Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council" of 18 June 2007 and stressing that the mandate-holder shall discharge his/her duties in accordance with these resolutions and their annexes,

1. *Decides* to extend the mandate of the Working Group on Arbitrary Detention for a further period of three years, in accordance with resolutions 1991/42 and 1997/50 of the Commission on Human Rights:

(*a*) To investigate cases of deprivation of liberty imposed arbitrarily or otherwise inconsistently with the relevant international standards set forth in the Universal Declaration of Human Rights or in the relevant international legal instruments accepted by the States concerned;

(*b*) To seek and receive information from Governments and intergovernmental and non-governmental organizations, and receive information from the individuals concerned, their families or their representatives;

(*c*) To act on information submitted to its attention regarding alleged cases of arbitrary detention by sending urgent appeals and communications to concerned Governments to clarify and to bring to their attention these cases;

(*d*) To conduct field missions upon the invitation of Government, in order to understand better the situations prevailing in countries, as well as the underlying reasons for instances of arbitrary deprivation of liberty;

(*e*) To formulate deliberations on issues of a general nature in order to assist States to prevent and guard against the practice of arbitrary deprivation of liberty and to facilitate consideration of future cases;

(*f*) To present an annual report to the Human Rights Council presenting its activities, findings, conclusions and recommendations;

2. *Encourages* the Working Group, in fulfilling its mandate:

(*a*) To work in cooperation and dialogue with all those concerned by the cases submitted to it, and in particular with States that provide information which should be given due consideration;

(*b*) To work in coordination with other mechanisms of the Human Rights Council, with other competent United Nations bodies and with treaty bodies, bearing in mind the role of the Office of the United Nations High Commissioner for Human Rights in such coordination, and to take all necessary measures to avoid duplication with those mechanisms, in particular regarding the treatment of the communications it receives and field missions;

(*c*) To carry out its task with discretion, objectivity and independence;

3. *Takes note* of the latest reports of the Working Group (E/CN.4/2006/7 and A/HRC/4/40), including the recommendations contained therein;

4. *Requests* the States concerned to take account of the Working Group's views and, where necessary, to take appropriate steps to remedy the situation of persons arbitrarily deprived of their liberty and to inform the Working Group of the steps they have taken;

5. *Encourages* all States:

(*a*) To give due consideration of the recommendations of the Working Group;

(*b*) To take appropriate measures in order to ensure that their legislation, regulations and practices remain in conformity with the relevant international standards and the applicable international legal instruments;

(*c*) To respect and promote the right of anyone who is arrested or detained on a criminal charge to be brought promptly before a judge or other officer authorized by law to exercise judicial power and to be entitled to trial within a reasonable time or to release;

(*d*) To respect and promote the right of anyone who is deprived of his/her liberty by arrest or detention to be entitled to bring proceedings before a court, in order that the court may decide without delay on the lawfulness of his/her detention and order his/her release if the detention is not lawful, in accordance with their international obligations;

(*e*) To ensure that the right deferred to in subparagraph (*d*) above is equally respected in cases of administrative detention, including administrative detentions in relation to public security legislation;

(*f*) To ensure that the conditions of pretrial detention do not undermine the fairness of the trial;

6. *Also encourages* all States concerned to ensure that any measures taken to combat terrorism comply with their obligations that ensure protection against arbitrary detention, bearing in mind relevant recommendations of the Working Group;

7. *Further encourages* all States to cooperate with the Working Group, and to give serious consideration to its requests for visits, so that it may carry out its mandate even more effectively;

8. *Notes with concern* that a persistent proportion of urgent appeals of the Working Group has been left unanswered and urges the States concerned to give the necessary attention to the urgent appeals addressed to them by the Working Group on a strictly humanitarian basis and without prejudging its possible final conclusions;

9. *Expresses its profound thanks* to the States that have extended their cooperation to the Working Group and responded to its requests for information, and invites all States concerned to demonstrate the same spirit of cooperation;

10. *Takes note with satisfaction* of the fact that the Working Group has been informed of the release of some of the individuals whose situation has been brought to its attention, while deploring the many cases that have not yet been resolved;

11. *Requests* the Secretary-General to provide all necessary assistance to the Working Group, particularly with regard to the staffing and resources needed for the effective fulfilment of its mandate, especially in respect of field missions;

12. *Decides* to continue consideration of the question in conformity with its programme of work.

21st meeting
28 September 2007

[Resolution adopted without a vote.]

6/5. Advisory services and technical assistance for Burundi

The Human Rights Council,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

Recalling General Assembly resolution 60/251 of 15 March 2006,

Recalling also the resolutions 5/1 "Institution-building of the United Nations Human Rights Council" and 5/2 "Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council" of 18 June 2007 and stressing that the mandate-holder shall discharge his/her duties in accordance with these resolutions and their annexes,

Bearing in mind Commission on Human Rights resolution 2004/82 of 21 April 2004,

Recognizing the efforts by the United Nations, the African Union, the European Union and the countries of the Regional Peace Initiative to help provide Burundi with backing to fully re-establish peace and security in its national territory,

Welcoming the efforts of the Burundi Government and the international community to encourage the *Parti pour la libération du peuple hutu-Forces nationales de libération* (Palipehutu-FNL) and its leader Agathon Rwasa to accede to the Joint Verification and Monitoring Mechanism envisaged in article 3.1 of the Global Ceasefire Agreement of 7 September 2006 and to resume negotiations,

Considering the expectations of the Burundi population following the elections of 2005 that led to the establishment of democratic institutions in Burundi,

Conscious of the commitment of the Government of Burundi to dialogue with its political partners,

1. *Requests* the United Nations High Commissioner for Human Rights to increase the allocation for technical assistance for Burundi through her office in Bujumbura;

2. *Exhorts* the international community to provide the Burundi Government with appropriate funding to enable it better to consolidate human rights, peace and security in its national territory;

3. *Encourages* the Burundi Government to continue to give priority to dialogue, wherever necessary;

4. *Also encourages* the Burundi Government to pursue its efforts to engage in dialogue with Palipehutu-FNL and its leader Agathon Rwasa;

5. *Decides* to extend by one year the mandate of the independent expert on the situation of human rights in Burundi;

6. *Asks* the independent expert to submit a final report to the Council at its ninth session on the effectiveness and efficiency of the measures applied in practice.

21st meeting
28 September 2007

[Resolution adopted without a vote.]

6/6. Promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity

The Human Rights Council,

Recalling the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, as well as other pertinent human rights instruments,

Recalling also resolutions 2002/26 of 22 April 2002, 2003/26 of 22 April 2003, 2004/20 of 16 April 2004 and 2005/20 of 14 April 2005 of the former Commission on Human Rights,

Noting that numerous declarations within the United Nations system promote respect for cultural diversity, as well as for international cultural cooperation, in particular the Declaration of the Principles of International Cultural Cooperation and the United Nations Educational, Scientific and Cultural Organization Universal Declaration on Cultural Diversity, adopted by its General Conference in 1966 and 2001 respectively,

Recalling its resolutions 5/1 and 5/2 of 18 June 2007,

Taking note of the Tehran Declaration and Programme of Action on Human Rights and Cultural Diversity adopted at the Ministerial Meeting of the Non-Aligned Movement on Human Rights and Cultural Diversity, held in Tehran, Islamic Republic of Iran, on 3 and 4 September 2007,

Welcoming the entry into force on 18 March 2007 of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 20 October 2005, *Stressing* the importance of the promotion of the cultural rights of everyone and of respect for cultural diversity,

Convinced that international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all should be based on an understanding of the economic, social and cultural specificities of each country and on the full realization and recognition of the universality of all human rights and the principles of freedom, justice, equality and non-discrimination,

1. *Reaffirms* that cultural rights are an integral part of human rights, which are universal, indivisible, interrelated and interdependent;

2. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the promotion of the enjoyment of the cultural rights of everyone and respect for different cultural identities (E/CN.4/2006/40);

3. *Expresses its appreciation* to States and intergovernmental and non-governmental organizations that responded to or participated in the consultations held pursuant to Commission on Human Rights resolutions 2002/26 of 22 April 2002, 2003/26 of 22 April 2003, 2004/20 of 16 April 2004 and 2005/20 of 14 April 2005;

4. *Reaffirms* that the establishment of a thematic procedure in the field of cultural rights should not develop a new monitoring mechanism, and that the appointment of an independent expert in the field of cultural rights could assist the implementation of the present resolution, taking into account the work already done in this field by other bodies, organs and organizations of the United Nations system;

5. *Acknowledges* that the process of review, rationalization and improvement of mandates represents momentum towards the establishment of an independent expert in the field of cultural rights, and to this end requests the United Nations High Commissioner for Human Rights to consult States, intergovernmental and non-governmental organizations on the content and scope of the mandate of the independent expert in the field of cultural rights, the basis of which would be the comprehensive implementation of the present resolution, and to report on the results of those consultations to the Council in accordance with its annual programme of work;

6. *Underlines* that it is important to avoid overlapping with the activities of the United Nations Educational, Scientific and Cultural Organization and other bodies and organizations of the United Nations system when establishing the mandate of the independent expert and to bear in mind the significance of encouraging synergy between all actors dealing with cultural rights and the issue of cultural diversity;

7. *Decides* to continue its consideration of this matter in accordance with the annual programme of work under the same agenda item.

21st meeting
28 September 2007

[Resolution adopted without a vote.]

6/7. Human rights and unilateral coercive measures

The Human Rights Council,

Recalling the purposes and the principles of the Charter of the United Nations,

Recalling also its decision 4/103 of 30 March 2007 and taking note of General Assembly resolution 61/170 of 19 December 2006, as well as of the report of the Secretary-General on this issue (A/HRC/6/2),

Stressing that unilateral coercive measures and legislation are contrary to international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States,

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights and, in this regard, reaffirming the right to development as a universal and inalienable right and an integral part of all human rights,

Expressing its concern about the negative impact of unilateral coercive measures in the field of human rights, development, international relations, trade, investment and cooperation,

Recalling the Final Document of the Fourteenth Conference of Heads of State or Government of the Non-Aligned Movement, held in September 2006 in Havana, in which they agreed to oppose and condemn these measures or laws and their continued application, persevere with efforts to effectively reverse them and urge other States to do likewise as called for by the General Assembly and other United Nations organs, and to request States applying these measures or laws to revoke them fully and immediately,

Recalling also that the World Conference on Human Rights, held in Vienna from 14 to 25 June 1993, called upon States to refrain from any unilateral measure not in accordance with international law and the Charter of the United Nations that creates obstacles to trade relations among States and impedes the full realization of all human rights, and also severely threatens the freedom of trade,

Deeply concerned that, despite the resolutions adopted on this issue by the General Assembly, the former Commission on Human Rights and United Nations conferences held in the 1990s and their five-year reviews, and contrary to norms of international law and the Charter of the United Nations, unilateral coercive measures continue to be promulgated, implemented and enforced, inter alia through resorting to war and militarism, with all their negative implications for the social-humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

Reaffirming that unilateral coercive measures are a major obstacle to the implementation of the Declaration on the Right to Development,

Recalling article 1, paragraph 2, common to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights which provides, inter alia, that in no case may a people be deprived of its own means of subsistence,

1. *Urges* all States to stop adopting or implementing unilateral coercive measures not in accordance with international law, international humanitarian law, the Charter of the United Nations and the norms and principles governing peaceful relations among States, in particular those of a coercive nature with extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Strongly objects* to the extraterritorial nature of those measures which, in addition, threaten the sovereignty of States and, in this context, calls upon all Member States neither to recognize these measures nor apply them, as well as to take effective administrative or legislative measures, as appropriate, to counteract the extraterritorial application or effects of unilateral coercive measures;

3. *Condemns* the continued unilateral application and enforcement by certain Powers of such measures as tools of political or economic pressure against any country, particularly against developing countries, with a view to preventing these countries from exercising their right to decide, of their own free will, their own political, economic and social systems;

4. *Reiterates its call* upon Member States that have initiated such measures to abide by the principles of international law, the Charter of the United Nations, the declarations of the United Nations and world conferences and relevant resolutions and to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are parties by putting an immediate end to such measures;

5. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

6. *Recalls* that, according to the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, contained in the annex to General Assembly resolution 2625 (XXV) of 24 October 1970, and according to the relevant principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32, no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind;

7. *Reaffirms* that essential goods such as food and medicines should not be used as tools for political coercion and that under no circumstances should people be deprived of their own means of subsistence and development;

8. *Underlines* that unilateral coercive measures are one of the major obstacles to the implementation of the Declaration on the Right to Development and, in this regard, calls upon all States to avoid the unilateral imposition of economic coercive measures and the extraterritorial

application of domestic laws which run counter to the principles of free trade and hamper the development of developing countries, as recognized by the Intergovernmental Group of Experts on the Right to Development in its report on its second session (E/CN.4/1998/29);

9. *Rejects* all attempts to introduce unilateral coercive measures, as well as the increasing trend in this direction, including through the enactment of laws with extraterritorial application which are not in conformity with international law;

10. *Recognizes* that the Declaration of Principles adopted at the first phase of the World Summit on the Information Society, held in Geneva in December 2003, strongly urged States to avoid and refrain from any unilateral measure in building the Information Society;

11. *Invites* all special rapporteurs and existing thematic mechanisms of the Council in the field of economic, social and cultural rights to pay due attention, within the scope of their respective mandates, to the negative impact and consequences of unilateral coercive measures;

12. *Decides* to give due consideration to the negative impact of unilateral coercive measures in its task concerning the implementation of the right to development;

13. *Requests*:

(*a*) The United Nations High Commissioner for Human Rights, in discharging her functions in relation to the promotion and protection of human rights, to pay due attention and give urgent consideration to the present resolution;

(*b*) The Secretary-General to bring the present resolution to the attention of all Member States and to seek their views and information on the implications and negative effects of unilateral coercive measures on their populations, and to submit a report thereon to the Council as appropriate, in accordance with its annual programme of work;

14. *Decides* to examine this question, on a priority basis, as appropriate, in accordance with its annual programme of work under the same agenda item.

21st meeting
28 September 2007

[Resolution adopted by a recorded vote of 34 to 11, with 2 abstentions. The voting was as follows:

In favour: Angola, Azerbaijan, Bangladesh, Bolivia, Brazil, Cameroon, China, Cuba, Djibouti, Egypt, Gabon, Ghana, Guatemala, India, Indonesia, Jordan, Madagascar, Malaysia, Mali, Mauritius, Mexico, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Uruguay, Zambia.

Against: Bosnia and Herzegovina, Canada, France, Germany, Italy, Japan, Netherlands, Romania, Slovenia, Switzerland, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Republic of Korea, Ukraine.]

6/8. Human rights and equitable access to safe drinking water and sanitation

The Human Rights Council,

Recalling its decision 2/104 of 27 November 2006,

Taking note of the report of the United Nations High Commissioner for Human Rights on the scope and content of relevant human rights obligations related to equitable access to safe drinking water and sanitation under international human rights instruments (A/HRC/6/3),

Mindful that the report requires thorough consideration by States and other relevant stakeholders,

1. *Calls upon* all States to give due attention to the report of the High Commissioner;

2. *Decides* to consider the issue at its seventh session.

21st meeting
28 September 2007

[Resolution adopted without a vote.]

6/9. Development of public information activities in the field of human rights, including the World Public Information Campaign on Human Rights

The Human Rights Council,

Reaffirming the Universal Declaration of Human Rights, and that activities to improve public information and awareness in the field of human rights are essential to the fulfilment of the purposes and principles of the United Nations as set out in Article 1, paragraph 3, of the Charter of the United Nations,

Taking note of the report of the Secretary-General on the development of public information activities in the field of human rights, including the World Public Information Campaign on Human Rights (A/HRC/4/106),

Recalling relevant General Assembly resolutions, including resolution 43/128 of 8 December 1988, by which the Assembly launched the World Public Information Campaign on Human Rights, resolution 59/113 of 10 December 2004, by which the Assembly proclaimed the World Programme for Human Rights Education, and resolution 60/251 of 15 March 2006, by which the Assembly decided that the Council should promote human rights education and learning as well as advisory services, technical assistance and capacity-building,

Recalling also the relevant Commission on Human Rights resolutions, particularly its last resolution on this subject, resolution 2005/58 of 20 April 2005,

1. *Encourages* the Department of Public Information of the Secretariat and the Office of the United Nations High Commissioner for Human Rights to continue to support, within their respective responsibilities and in consultation with States, the development of national capacities for human rights education and public information, inter alia by involving national human rights institutions and non-governmental organizations, and to launch, within the framework of the Universal Declaration of Human Rights sixtieth anniversary activities, specific initiatives for widening public information in the field of human rights;

2. *Encourages* all States to develop specific public information activities within the framework of the Universal Declaration of Human Rights sixtieth anniversary activities, and to enhance their education and training efforts, also in the context of the World Programme for Human Rights Education, including targeted training programmes for professional audiences in the field of human rights in close contact with the Office of the United Nations High Commissioner for Human Rights;

3. *Calls on* the High Commissioner for Human Rights to mainstream human rights education and public information activities, within the framework of the Universal Declaration of Human Rights sixtieth anniversary activities, in the existing initiatives and in those to be undertaken to this end, at the international, regional, and national levels;

4. *Requests* the Secretary-General, within the regular budget of the United Nations, to mobilize, as appropriate, the United Nations Country Teams in order to promote, within the framework of the Universal Declaration of Human Rights sixtieth anniversary activities, education, training and public information activities in the field of human rights;

5. *Also requests* the Secretary-General and the Office of the United Nations High Commissioner for Human Rights to submit to the Council, prior to its seventh session, a joint progress report, from within the regular budget of the United Nations, on public information activities in the field of human rights, including activities being undertaken throughout the sixtieth anniversary of the Universal Declaration of Human Rights, by the United Nations system, internationally and at the national level, and, particularly, by the field presences of the Office of the High Commissioner for Human Rights.

21st meeting
28 September 2007

[Resolution adopted without a vote.]

6/10. United Nations declaration on human rights education and training

The Human Rights Council,

Recalling that the Universal Declaration of Human Rights proclaims that every individual and every organ of society, keeping the Declaration constantly in mind, shall strive by teaching and education to promote respect for the rights and freedoms contained in it, *Recalling* the high importance attached to human rights education by the Vienna Declaration and Programme of Action, adopted in June 1993 by the World Conference on Human Rights, and the great value of the World Programme for Human Rights Education,

Reaffirming that the Human Rights Council shall, inter alia, promote human rights education and learning,

Believing that enhanced efforts to promote human rights education would represent a major contribution of the Human Rights Council,

Reaffirming the importance of the World Programme for Human Rights Education,

Mindful and appreciative of the efforts made in this regard by the International Labour Organization, the United Nations Educational, Scientific and Cultural Organization, the United Nations Children's Fund, the United Nations Development Programme and the Office of the United Nations High Commissioner for Human Rights as well as by other relevant stakeholders, including educators and non-governmental organizations,

1. *Requests* the "Human Rights Council Advisory Committee" to prepare a draft declaration on human rights education and training, to be presented to the Human Rights Council for consideration; to this end:

(*a*) Requests the "Human Rights Council Advisory Committee" to seek the views and inputs of Member States, relevant international and regional organizations, the Office of the United Nations High Commissioner for Human Rights, national human rights institutions as well as civil society organizations, including non-governmental organizations, on the possible elements of the content of the declaration and to take into account existing relevant instruments;

(*b*) Requests also the "Human Rights Council Advisory Committee" to present a progress report to the Human Rights Council, at its 2009 main session, containing the elements of the draft declaration on human rights education and training;

2. *Decides* to consider the progress report at its 2009 main session.

21st meeting
28 September 2007

[Resolution adopted without a vote.]

6/11. Protection of cultural heritage as an important component of the promotion and protection of cultural rights

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights, *Bearing in mind* pertinent universal and regional legal instruments for the promotion and protection of cultural rights and for the protection of cultural heritage, including the principles enshrined in conventions, recommendations, declarations and charters for the protection of cultural heritage adopted by the United Nations Educational, Scientific and Cultural Organization,

Reaffirming that all human rights are universal, indivisible, interdependent and mutually reinforcing and must be treated in a fair and equal manner, on the same footing and with the same emphasis,

Recalling that States parties to the International Covenant on Economic, Social and Cultural Rights undertake to take steps, including those necessary for the conservation, development and diffusion of science and culture, in order to achieve full realization of the rights, as stipulated in article 15 of the Covenant,

Reaffirming the importance of cultural diversity for the full realization of human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and other universally recognized instruments,

Recalling that cultural diversity, flourishing within a framework of democracy, tolerance, social justice and mutual respect between peoples and cultures, is indispensable for peace and security at the local, national and international levels,

Mindful that cultural heritage is an important component of the cultural identity of communities, groups and individuals, and of social cohesion, so that its intentional destruction may have adverse consequences on human dignity and human rights,

Affirming that intentional destruction of cultural heritage may violate the principles of international law,

Reaffirming the importance of the protection of cultural heritage and the commitment to fight against its intentional destruction in any form so that such cultural heritage may be transmitted to the succeeding generations,

Recognizing the valuable contributions of all religions to modern civilization and the contribution that dialogue among civilizations can make to an improved awareness and understanding of the common values shared by all humankind,

1. *Recognizes* that the promotion and protection of cultural rights and the respect for different cultural identities are vital elements to advance freedom and progress everywhere, as well as to encourage tolerance, respect, dialogue and cooperation among different cultures, civilizations and peoples;

2. *Reiterates* that each culture has a dignity and value which must be respected and preserved, and that respect for the diversity of belief, culture and language promotes a culture of peace and dialogue among all civilizations;

3. *Recognizes* that intentional destruction of cultural heritage may constitute advocacy and incitement to national, racial or religious hatred and thereby violates fundamental principles of international human rights law, inter alia, the provisions as stipulated in article 20 of the International Covenant on Civil and Political Rights;

4. *Expresses grave concern* about continuing acts of intentional destruction of cultural heritage that take place in various parts of the world;

5. *Underlines* that States bear responsibility for intentional destruction or failure to take appropriate measures to prohibit, prevent, stop and punish any such destruction of cultural heritage of great importance for humanity, to the extent provided for by international law;

6. *Encourages* all States, relevant intergovernmental and non-governmental organizations and the media to promote a culture of tolerance and respect for the diversity of cultures, civilizations and religions and for cultural and religious sites, which represent an important aspect of the collective heritage of humankind;

7. *Emphasizes* the importance of continued cooperation at international and regional levels in order to encourage dialogue among cultures with a view to ensuring wider and balanced cultural exchanges in the world in favour of intercultural respect and culture of peace;

8. *Requests* the United Nations High Commissioner for Human Rights to encourage all relevant human rights bodies and mechanisms to pay due attention to the issue of promotion of cultural diversity and protection of cultural heritage as an important component of the promotion and protection of all human rights, including the full realization of cultural rights;

9. *Encourages* the High Commissioner for Human Rights to enhance consultations with the Council and cooperation with relevant international and regional organizations and bodies concerned with the issue of protection of cultural heritage in order to address human rights-related aspects of this issue;

10. *Requests* the High Commissioner for Human Rights to bring the present resolution to the attention of all Governments, the competent United Nations organs, programmes and specialized agencies, as well as regional intergovernmental organizations;

11. *Decides* to remain seized of this issue and to consider further actions in order to implement the present resolution.

21st meeting
28 September 2007

[Resolution adopted without a vote.]

6/12. Human rights and indigenous peoples: mandate of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people

The Human Rights Council,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling the resolutions 5/1 "Institution-building of the United Nations Human Rights Council" and 5/2 "Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council" of 18 June 2007 and stressing that the mandate-holder shall discharge his/her duties in accordance with these resolutions and their annexes,

Recalling also resolutions 2001/57 of 24 April 2001, 2002/65 of 25 April 2002, 2003/56 of 24 April 2003, 2004/62 of 21 April 2004 and 2005/51 of 20 April 2005 of the Commission on Human Rights entitled "Human rights and indigenous issues",

1. *Decides* to extend the mandate of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people for a period of three years:

(*a*) To examine ways and means of overcoming existing obstacles to the full and effective protection of the human rights and fundamental freedoms of indigenous people, in conformity with his/her mandate, and to identify, exchange and promote best practices;

(*b*) To gather, request, receive and exchange information and communications from all relevant sources, including Governments, indigenous people and their communities and organizations, on alleged violations of their human rights and fundamental freedoms;

(*c*) To formulate recommendations and proposals on appropriate measures and activities to prevent and remedy violations of the human rights and fundamental freedoms of indigenous people;

(*d*) To work in close cooperation, while avoiding unnecessary duplication, with other special procedures and subsidiary organs of the Human Rights Council, relevant United Nations bodies, the treaty bodies, and human rights regional organizations;

(*e*) To work in close cooperation with the Permanent Forum on Indigenous Issues and to participate in its annual session;

(*f*) To develop a regular cooperative dialogue with all relevant actors, including Governments, relevant United Nations bodies, specialized agencies and programmes, as well as indigenous peoples, non-governmental organizations and other regional or subregional international institutions, including on possibilities for technical cooperation at the request of Governments;

(*g*) To promote the United Nations Declaration on the Rights of Indigenous Peoples and international instruments relevant to the advancement of the rights of indigenous peoples, where appropriate;

(*h*) To pay special attention to the human rights and fundamental freedoms of indigenous children and women, and to take into account a gender perspective in the performance of his/her mandate;

(*i*) To consider relevant recommendations of the world conferences, summits and other United Nations meetings, as well as the recommendations, observations and conclusions of the treaty bodies on matters regarding his/her mandate;

(*j*) To submit a report on the implementation of his/her mandate to the Council in accordance with its annual programme of work;

2. *Requests* all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, to furnish all information requested in his/her communications and to react promptly to his/her urgent appeals;

3. *Encourages* all Governments to give serious consideration to the possibility of inviting the Special Rapporteur to visit their countries so as to enable him/her to fulfil the mandate effectively;

4. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human, technical and financial assistance to the Special Rapporteur for the effective fulfilment of his/her mandate;

5. *Decides* to continue consideration of this question in conformity with the Human Rights Council's programme of work.

21st meeting
28 September 2007

[Resolution adopted without a vote.]

6/13. The Social Forum

The Human Rights Council,

Recalling all previous resolutions and decisions adopted on this issue by the former Commission on Human Rights and its Sub-Commission on the Promotion and Protection of Human Rights, as well as by the Economic and Social Council,

Recalling also its resolution 5/1 of 18 June 2007,

Bearing in mind that the reduction of poverty and the elimination of extreme poverty remain an ethical and moral imperative of humankind, based on respect for human dignity, and noting the report of the Chairperson-Rapporteur of the fourth Social Forum, held on 3 and 4 August 2006, which focused on "The fight against poverty and the rights to participation: the role of women",

Reaffirming the unique nature within the United Nations of the Social Forum, which makes possible a dialogue and an exchange between the representatives of Member States, civil society, including grass-roots organizations, and intergovernmental organizations, and stressing that the current reform of the United Nations should take into account the contribution of the Social Forum as a vital space for open and fruitful dialogue on issues linked with the national and international environment needed for the promotion of the enjoyment of all human rights by all,

1. *Welcomes* the report of the fourth Social Forum held in Geneva on 3 and 4 August 2006 submitted by the Chairman-Rapporteur (A/HRC/Sub.1/58/15);

2. *Takes note with satisfaction* of the conclusions and recommendations of the 2006 Social Forum and of the innovative nature of many of them, and calls upon States, international organizations - in particular those with a mandate for poverty eradication - non-governmental organizations, civil society organizations, trade unions and other relevant actors to take them into account when designing and implementing poverty-eradication programmes and strategies;

3. *Decides* to preserve the Social Forum as a unique space for interactive dialogue between the United Nations human rights machinery and various stakeholders, including grass-roots organizations, and underlines the importance of coordinated efforts at national, regional and international levels for the promotion of social cohesion based on the principles of social justice, equity and solidarity as well as to address the social dimension and challenges of the ongoing globalization process;

4. *Decides also* that the Social Forum shall continue meeting every year, requests that the next meeting of the Social Forum be held during 2008, in Geneva, on dates suitable for the participation of representatives of United Nations Member States and of the broadest possible range of other stakeholders, especially from developing countries, and decides that at its next meeting the Social Forum should focus on:

(*a*) Questions relating to the eradication of poverty in the context of human rights;

(*b*) Capturing best practices in the fight against poverty in the light of grass-roots presentations to the Social Forum;

(*c*) Social dimension of the globalization process;

5. *Decides further* that the Social Forum will meet for three working days, in order that it may devote:

(*a*) One day to thematic discussions on poverty and human rights and the work of the international human rights mechanisms in the field of economic, social and cultural rights and the right to development in relation to poverty, in order to receive feedback from civil society to provide to different mechanisms;

(*b*) One day to discussion on the social dimension of the globalization process;

(*c*) One day to an interactive debate with relevant thematic procedures mandate-holders of the Human Rights Council on issues related to the topics of the Social Forum, and to formulating conclusions and recommendations to be presented to relevant bodies through the Human Rights Council;

6. *Requests* the President of the Human Rights Council to appoint, before the end of 2007, from candidates nominated by regional groups, the Chairperson-Rapporteur for the 2008 Social Forum and decides to respect the principle of regional rotation while appointing the chairpersons-rapporteurs of the Social Forum in the future;

7. *Invites* the appointed Chairperson-Rapporteur to announce, in a timely manner, the most appropriate dates for convening the 2008 Social Forum, after holding consultations with United Nations Member States and other stakeholders;

8. *Requests* the United Nations High Commissioner for Human Rights to consult all actors identified in the present resolution on the issues referred to in paragraph 4 above and to present a report as a background contribution for the dialogues and debates that will be held at the 2008 Social Forum;

9. *Requests also* the High Commissioner for Human Rights to facilitate the participation in the 2008 Social Forum, to assist the Chairperson-Rapporteur as resource persons, of up to four relevant Human Rights Council thematic procedures mandate-holders, in particular the independent expert on the question of human rights and extreme poverty and the independent expert on human rights and international solidarity;

10. *Decides* that the Social Forum will remain open for participation of representatives of United Nations Member States and all other interested stakeholders such as intergovernmental organizations, different components of the United Nations system, especially mandate-holders of thematic procedures and mechanisms of the human rights machinery, regional economic commissions, specialized agencies and organizations - in particular the United Nations Development Programme, the World Bank, the International Monetary Fund and the World Trade Organization, as well as representatives designated by human rights national institutions and non-governmental organizations in consultative status with the Economic and Social Council and other non-governmental organizations, in particular newly emerging actors such as small groups and rural and urban associations from the North and the South, anti-poverty groups, peasants' and farmers' organizations and their national and international associations, voluntary organizations, youth associations, community organizations, trade unions and associations of workers, as well as representatives of the private sector, regional banks, and other financial institutions and international development agencies, based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996, and practices observed by the Commission on Human Rights, while ensuring the most effective contribution of these entities;

11. *Requests* the Office of the United Nations High Commissioner for Human Rights to seek effective means of ensuring consultation and the broadest possible participation of representatives from every region, especially those from developing countries, in the Social Forum, including by establishing partnerships with non-governmental organizations, the private sector and international organizations;

12. *Requests* the Secretary-General to adopt the appropriate measures to disseminate information about the Social Forum, invite the relevant individuals and organizations to the Social Forum and take all practical measures required for the success of this initiative;

13. *Invites* the 2008 Social Forum to submit to the Human Rights Council a report including a proposal of possible themes for the 2009 Social Forum;

14. *Requests* the Secretary-General to provide the Social Forum with all the services and facilities necessary to fulfil its activities, and also requests the United Nations High Commissioner for Human Rights to provide all the necessary support to facilitate the convening and proceedings of the Social Forum;

15. *Decides* to continue consideration of this issue under the relevant agenda item when the report of the 2008 Social Forum is submitted to the Human Rights Council.

21st meeting
28 September 2007

[Resolution adopted without a vote.]

6/14. Special Rapporteur on contemporary forms of slavery

The Human Rights Council,

Reaffirming the Universal Declaration of Human Rights, which states that no one shall be held in slavery or servitude and that slavery and the slave trade shall be prohibited in all their forms,

Recognizing the Slavery Convention of 1926, the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956 and International Labour Organization Convention No. 29 on Forced Labour of 1930, as well as other relevant international instruments which prohibit all forms of slavery and call on Governments to eradicate such practices,

Recalling that the Durban Declaration and Programme of Action strongly condemned the fact that slavery and slavery-like practices still exist today in parts of the world and urged States to take immediate measures as a matter of priority to end such practices, which constitute flagrant violations of human rights,

Acknowledging that contemporary forms of slavery is a global issue which affects all continents and most countries of the world,

Deeply concerned that the minimum estimate of the number of people in slavery is over 12 million and that the problem appears to be increasing,

Recognizing that broad international cooperation among States, as well as between States and relevant intergovernmental and non-governmental organizations is essential for effectively countering contemporary forms of slavery,

Taking note with great appreciation of the work, reports and recommendations of the Working Group on Contemporary Forms of Slavery of the former Sub-Commission on the Promotion and Protection of Human Rights, since its establishment in 1975,

Considering the proposals to replace the Working Group on Contemporary Forms of Slavery with a Special Rapporteur as a mechanism for better addressing the issue of contemporary forms of slavery within the United Nations system which were made in May 1998 in a review of the implementation of the conventions on slavery for the twenty-fourth session of the Working Group on Contemporary Forms of Slavery; in the Office of the United Nations High Commissioner for Human Rights' report "Abolishing slavery and its contemporary forms, 2002" (HR/PUB/02/4); and in the recommendations of the Working Group on Contemporary Forms of Slavery itself at its thirty-first session in 2006,

Recalling Human Rights Council decision 5/1 "Institution-building of the United Nations Human Rights Council" of 18 June 2007 and its annex, which stated that the Council would decide at its sixth session on the most appropriate mechanisms to continue the work of the Working Groups on Indigenous Populations, on Contemporary Forms of Slavery, Minorities, as well as Human Rights Council resolution 5/2 "Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council" of 18 June 2007 and stressing that the mandate-holder shall discharge his/her duties in accordance with these resolutions and their annexes,

Bearing in mind that 2007 marks the two hundredth anniversary of the beginning of the abolition of the transatlantic slave trade,

Convinced that the mandates of existing Special Rapporteurs do not adequately cover all slavery practices, and that the issue of contemporary forms of slavery needs to be given greater prominence and priority within the United Nations system if these practices are to be eradicated once and for all,

1. *Decides* to appoint, for a three-year period, a Special Rapporteur on contemporary forms of slavery, including its causes and its consequences, to replace the Working Group on Contemporary Forms of Slavery;

2. *Decides* that the Special Rapporteur shall examine and report on all contemporary forms of slavery and slavery-like practices, but in particular those defined in the Slavery Convention of 1926, and the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, as well as all other issues covered by the Working Group on Contemporary Forms of Slavery including forced prostitution and its human rights dimensions; in the discharge of his/her mandate, the Special Rapporteur will:

(*a*) Focus principally on aspects of contemporary forms of slavery which are not covered by existing mandates of the Human Rights Council;

(*b*) Promote the effective application of relevant international norms and standards on slavery;

(*c*) Request, receive and exchange information on contemporary forms of slavery from Governments, treaty bodies, special procedures, specialized agencies, intergovernmental organizations, and non-governmental organizations and other relevant sources, including on slavery practices and, as appropriate, and in line with the current practice, respond effectively to reliable information on alleged human rights violations with a view to protecting the human rights of victims of slavery and preventing violations;

(*d*) Recommend actions and measures applicable at the national, regional and international levels to eliminate slavery practices wherever they occur, including remedies which address the causes and consequences of contemporary forms of slavery, such as poverty, discrimination and conflict as well as the existence of demand factors and relevant measures to strengthen international cooperation;

3. *Requests* the Special Rapporteur, in carrying out his/her mandate:

(*a*) To give careful consideration to specific issues within the scope of the mandate and to include examples of effective practices as well as relevant recommendations;

(*b*) To take account of the gender and age dimensions of contemporary forms of slavery;

4. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in the performance of the tasks and duties mandated, to supply all necessary information requested by him/her and to give serious consideration to responding favourably to the Special Rapporteur's requests to visit their countries, so as to enable him/her to fulfil his/her mandate effectively;

5. *Encourages* the United Nations, including its specialized agencies, regional intergovernmental organizations, Governments, independent experts, interested institutions, and non-governmental organizations to cooperate to the fullest extent possible with the Special Rapporteur in the fulfilment of his/her mandate;

6. *Requests* the Special Rapporteur to cooperate fully and effectively with other existing human rights mechanisms and treaty bodies, including, but not limited to, the Special Rapporteur on trafficking in persons, especially in women and children, the Special Rapporteur on the sale of children, child prostitution and child pornography, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Special Rapporteur on violence against women, its causes and consequences, the Special Representative of the Secretary-General on children in armed conflict, and the Special Rapporteur on the human rights of migrants as well as the Board of Trustees for the United Nations Voluntary Fund on Contemporary Forms of Slavery, taking full account of their contribution while avoiding duplication of their work;

7. *Also requests* the Special Rapporteur to submit annual reports on the activities of the mandate to the Human Rights Council together with recommendations on measures that should be taken to combat and eradicate contemporary forms of slavery and slavery-like practices and to protect the human rights of victims of such practices;

8. *Requests* the Secretary-General to give the Special Rapporteur all necessary human and financial assistance for the effective fulfilment of his/her mandate.

21st meeting
28 September 2007

[Resolution adopted without a vote.]

6/15. Forum on Minority Issues

The Human Rights Council,

Recalling the International Covenant on Civil and Political Rights and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities adopted by consensus by the General Assembly by its resolution 47/135 of 18 December 1992,

Taking into consideration article 27 of the International Covenant on Civil and Political Rights as well as other relevant existing international standards and national legislation,

Recalling Commission on Human Rights resolution 1995/24 of 3 March 1995, Economic and Social Council resolution 1995/31 of 25 July 1995 and decision 1998/246 of 30 July 1998 on the mandate of the Working Group on Minorities of the Sub-Commission on the Promotion and Protection of Human Rights,

Recalling also Human Rights Council resolution 5/1 of 18 June 2007, which calls upon the Council to decide at its sixth session on the most appropriate mechanisms to continue the work of the former working groups of the Sub-Commission,

Taking note of the final report of the Working Group on Minorities (A/HRC/Sub.1/58/19), in particular the recommendations on the future of the Working Group, which emphasizes the need for a mechanism to serve as a forum for dialogue and mutual understanding on minority rights issues,

Taking note also of the report of the Secretary-General on the rights of persons belonging to national or ethnic, religious and linguistic minorities (A/HRC/4/109), in which he invites the Council to consider ways to maintain mechanisms offering opportunities for the meaningful participation of civil society,

Commending the important work undertaken by the independent expert on minority issues and recalling the complementarity of her mandate with that of the former Working Group on Minorities provided for in Commission on Human Rights resolution 2005/79 of 21 April 2005,

Emphasizing the need for reinforced efforts to meet the goal of the full realization of the rights of persons belonging to national or ethnic, religious and linguistic minorities,

Affirming that effective measures and the creation of favourable conditions for the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities, ensuring effective non-discrimination and equality for all, as well as full and effective participation in matters affecting them, contribute to the prevention and peaceful solution of human rights problems and situations involving minorities,

Underlining the need to pay specific attention to the negative impact of racism, racial discrimination, xenophobia and related intolerance on the situation of persons belonging to national or ethnic, religious and linguistic minorities, and drawing attention to the relevant provisions of the Durban Declaration and Programme of Action adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, including the provisions on forms of multiple discrimination, *Emphasizing* the importance of dialogue among all relevant stakeholders on the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities as an integral part of the development of society as a whole, including the sharing of best practices such as for the promotion of mutual understanding of minority issues, managing diversity by recognizing plural identities, and promoting inclusive and stable societies as well as social cohesion therein,

Emphasizing also the importance of national processes aimed at promoting and strengthening dialogue between all relevant stakeholders on issues relating to the rights of persons belonging to national, or ethnic, religious and linguistic minorities with a view to ensuring the realization of their rights without discrimination and to help build stable societies,

1. *Decides* to establish a forum on minority issues to provide a platform for promoting dialogue and cooperation on issues pertaining to persons belonging to national or ethnic, religious and linguistic minorities, which shall provide thematic contributions and expertise to the work of the independent expert on minority issues.[1] The Forum shall identify and analyse best practices, challenges, opportunities and initiatives for the further implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities;

2. *Also decides* that the Forum shall be open to the participation of States, United Nations mechanisms, bodies and specialized agencies, funds and programmes, intergovernmental organizations, regional organizations and mechanisms in the field of human rights, national human rights institutions and other relevant national bodies, academics and experts on minority issues and non-governmental organizations in consultative status with the Economic and Social Council; the Forum shall also be open to other non-governmental organizations whose aims and purposes are in conformity with the spirit, purposes and principles of the Charter of the United Nations, based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996, and practices observed by the Commission on Human Rights, through an open and transparent accreditation procedure in accordance with the Rules of Procedure of the Human Rights Council, which will provide for the timely information on participation and consultations with States concerned;

3. *Decides further* that the Forum shall meet annually for two working days allocated to thematic discussions;

4. *Requests* the President of the Human Rights Council to appoint for each session, on the basis of regional rotation, and in consultation with regional groups, a chairperson of the Forum among experts on minority issues, nominated by members and observers of the Council; the chairperson, serving in his/her personal capacity, shall be responsible for the preparation of a summary of the discussion of the Forum, to be made available to all participants of the Forum;

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[1] Subject to review of the mandate of the independent expert, as foreseen in resolution 5/1 of 18 June 2007.

5. *Decides* that the independent expert on minority issues shall guide the work of the Forum and prepare its annual meetings, and invites him/her to include in his/her report thematic recommendations of the Forum and recommendations for future thematic subjects, for consideration by the Human Rights Council;

6. *Expresses its expectation* that the Forum will contribute to the efforts of the United Nations High Commissioner for Human Rights to improve the cooperation among United Nations mechanisms, bodies and specialized agencies, funds and programmes on activities related to the promotion and protection of the rights of persons belonging to minorities, including at regional level;

7. *Requests* the High Commissioner for Human Rights to provide all the necessary support to facilitate, in a transparent manner, the convening of the Forum and the participation of relevant stakeholders from every region in its meetings, giving particular attention to ensuring broadest possible and equitable participation, including, in particular, the representation of women;

8. *Requests* the Secretary-General to provide the Forum, within existing resources of the United Nations, with all the services and facilities necessary to fulfil its mandate;

9. *Decides* to review the work of the Forum after four years.

21st meeting
28 September 2007

[Resolution adopted without a vote.]

6/16. Informal meeting to discuss the most appropriate mechanisms to continue the work of the Working Group on Indigenous Populations

The Human Rights Council,

Recalling that the Human Rights Council institution-building text, annexed to resolution 5/1 of 18 June 2007, stated that the "Council will decide at its sixth session (first session of its second cycle) on the most appropriate mechanisms to continue the work of the Working Group on Indigenous Populations …",

Decides to request the Office of the United Nations High Commissioner for Human Rights to convene an informal meeting in Geneva, for a day and a half, open to the participation of States, indigenous peoples and other stakeholders preceding the resumed sixth session in December of the Council to exchange views on the most appropriate mechanisms to continue the work of the Working Group on Indigenous Populations.

21st meeting
28 September 2007

[Resolution adopted without a vote.]

6/17. Establishment of funds for the universal periodic review mechanism of the Human Rights Council

The Human Rights Council,

Bearing in mind that the universal periodic review is a cooperative mechanism with the full involvement of the country concerned and with consideration given to its capacity-building needs in accordance with General Assembly resolution 60/251 of 15 March 2006,

Underlining the fact that the institution-building text adopted on 18 June 2007 states that a universal periodic review Voluntary Trust Fund should be established to facilitate the participation of developing countries, particularly least developed countries, in the universal periodic review,

Recalling that the institution-building text also requests the Council to decide on the question whether to resort to existing financing mechanisms or to create a new mechanism,

1. *Requests* the Secretary-General to establish a universal periodic review Voluntary Trust Fund to facilitate the participation of developing countries, particularly least developing countries, in the universal periodic review mechanism;

2. *Also requests* the Secretary-General to establish a new financial mechanism called the Voluntary Fund for Financial and Technical Assistance to be administered jointly with the universal periodic review Voluntary Trust Fund mentioned in paragraph 1, in order to provide, in conjunction with multilateral funding mechanisms, a source of financial and technical assistance to help countries implement recommendations emanating from the universal periodic review in consultation with, and with the consent of, the country concerned;

3. *Urges* all member States, observers and other stakeholders of the Council to support the operationalization of the above funds;

4. *Requests* the Office of the High Commissioner for Human Rights to take the necessary measures with a view to expeditiously operationalizing the mechanisms;

5. *Decides* to follow up on the matter under the same agenda item at its seventh session.

21st meeting
28 September 2007

[Resolution adopted without a vote.]

6/18. Human rights situation in the Occupied Palestinian Territory: follow-up to Human Rights Council resolutions S-1/1 and S-3/1

The Human Rights Council,

Recalling its resolutions S-1/1 of 6 July 2006 and S-3/1 of 15 November 2006, *Noting with regret* that Israel, the occupying Power, has not implemented to date these two resolutions and hindered the dispatching of the urgent fact-finding missions specified therein,

1. *Calls for* the implementation of its resolutions S-1/1 and S-3/1, including the dispatching of the urgent fact-finding missions;

2. *Requests* the President of the Human Rights Council and the United Nations High Commissioner for Human Rights to report to the Council at its next session on their efforts for the implementation of Council resolutions S-1/1 and S-3/1 and on the compliance of Israel, the occupying Power, with these two resolutions.

21st meeting
28 September 2007

[Resolution adopted without a vote.]

6/19. Religious and cultural rights in the Occupied Palestinian Territory, including East Jerusalem

The Human Rights Council,

Recalling the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights,

Recalling also article 2 of the Universal Declaration of Human Rights which stipulates that everyone is entitled to all the rights and freedoms set forth in that Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, and that no distinction should be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty,

Aware of the responsibility of the international community to promote human rights and ensure respect for international law,

Emphasizing the particularity of Occupied East Jerusalem in its rich religious and cultural heritage,

Recalling relevant Security Council resolutions on Occupied East Jerusalem,

Affirming the applicability of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem,

Deeply concerned at the Israeli actions undermining the sanctity and inviolability of religious sites in the Occupied Palestinian Territory, including East Jerusalem, *Deeply concerned also* at the Israeli policy of closures and the severe restrictions, including curfews and the permit regime, that continue to be imposed on the movement of Palestinians and their free access to their holy sites, including Al Aqsa Mosque,

1. *Stresses* that all policies and measures taken by Israel, the occupying Power, to limit access of Palestinians to their holy sites, particularly in Occupied East Jerusalem, on the basis of national origin, religion, birth, sex or any other status are in violation of the provisions of the above-mentioned instruments and resolutions and therefore must cease immediately;

2. *Calls upon* Israel, the occupying Power, to respect the religious and cultural rights enumerated in the Universal Declaration of Human Rights in the Occupied Palestinian Territory, including East Jerusalem, and to allow Palestinian worshippers unfettered access to their religious sites;

3. *Requests* the High Commissioner for Human Rights to report to the Council at its next session on the implementation of the present resolution.

21st meeting
28 September 2007

[Resolution adopted by a recorded vote of 31 to 1, with 15 abstentions. The voting was as follows:

In favour:	Angola, Azerbaijan, Bangladesh, Bolivia, Brazil, China, Cuba, Djibouti, Egypt, Gabon, Ghana, India, Indonesia, Jordan, Malaysia, Mali, Mauritius, Mexico, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Uruguay, Zambia.
Against:	Canada.
Abstaining:	Bosnia and Herzegovina, Cameroon, France, Germany, Guatemala, Italy, Japan, Madagascar, Netherlands, Republic of Korea, Romania, Slovenia, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland.]

6/20. Regional arrangements for the promotion and protection of human rights

The Human Rights Council,

Recalling General Assembly resolution 32/127 of 16 December 1977 and the subsequent resolutions of the General Assembly concerning regional arrangements for the promotion and protection of human rights, the latest being 61/167 of 19 December 2006,

Recalling also Commission on Human Rights resolution 1993/51 of 9 March 1993 and its subsequent resolutions in this regard,

Bearing in mind paragraph 5 (*h*) of General Assembly resolution 60/251 in which it was decided that the Council shall work in close cooperation with regional organizations, *Bearing in mind also* the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993, which reiterates, inter alia, the need to consider the possibility of establishing regional and subregional arrangements for the promotion and protection of human rights where they do not already exist,

Reaffirming that regional arrangements play an important role in promoting and protecting human rights and should reinforce universal human rights standards, as contained in international human rights instruments,

1. *Welcomes* progress made by Governments in the establishment of regional and subregional arrangements for the promotion and protection of human rights as well as their achievements in all regions of the world;

2. *Requests* the United Nations High Commissioner for Human Rights to convene in 2008 a workshop for an exchange of views on good practices, added value and challenges for such regional arrangements, with the participation of representatives of the relevant regional and subregional arrangements from different regions, experts as well as all interested United Nations Member States, observers, national human rights institutions and representatives of non-governmental organizations, based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996 and practices observed by the Commission on Human Rights;

3. *Requests* the Office of the High Commissioner to present to the Council a summary of the discussions of the workshop, at a moment in conformity with the programme of work of the Council.

22nd meeting
28 September 2007

[Resolution adopted without a vote.]

6/21. Elaboration of international complementary standards to the International Convention on the Elimination of All Forms of Racial Discrimination

The Human Rights Council,

Recalling the Durban Declaration and Programme of Action adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (A/CONF.189/12 and Corr.1),

Recalling also the International Convention on the Elimination of All Forms of Racial Discrimination, proclaimed by the General Assembly in resolution 2106 A (XX) of 4 January 1969,

Recalling further the International Covenant on Civil and Political Rights, proclaimed by the General Assembly in its resolution 2200 A (XXI) of 16 December 1966, in particular article 20, paragraph 2, of the Covenant, which stipulates that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, shall be prohibited by law,

Underlining the importance of the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, proclaimed by the General Assembly in its resolution 36/55 of 25 November 1981,

Emphasizing that general recommendation No. 15 (1993) of the Committee on the Elimination of Racial Discrimination on article 4 of the International Convention stipulates that the prohibition of the dissemination of all ideas based upon racial superiority or hatred is compatible with the freedom of opinion and expression,

Underlining that the Durban Declaration and Programme of Action urged States that had not yet done so to accede to the International Convention on the Elimination of All Forms of Racial Discrimination, as a matter of urgency, with a view to achieving its universal ratification by 2005, to consider making the declaration envisaged under article 14 thereof, and to withdraw reservations contrary to the object and purpose of the Convention, all of which have regrettably not been accomplished to date,

Deeply alarmed at the sharp increase in xenophobic tendencies and intolerance towards various racial and religious groups and cultures, where people belonging to minorities, migrants, refugees, asylum-seekers and illegal migrants are the worst affected victims of such tendencies and acts,

Emphasizing the imperative need to find the necessary political will to address comprehensively, by all available measures, the various forms and manifestations of racism, racial discrimination, xenophobia and related intolerance, and to provide adequate remedies to the victims,

Recalling its decision 3/103 of 8 December 2006, by which, heeding the decision and instruction of the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, it decided to establish the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards, with the mandate to elaborate, as a matter of priority and necessity, complementary standards in the form of either a convention or additional protocol(s) to the International Convention on the Elimination of All Forms of Racial Discrimination, filling the existing gaps in the Convention, and also providing new normative standards aimed at combating all forms of contemporary racism, including incitement to racial and religious hatred,

Regretting that the mandate of the Five Experts on Complementary Standards was not accomplished in accordance with the requirements set out in its decision 3/103,

Decides:

(*a*) To convene the inaugural session of the Ad Hoc Committee in the first quarter of 2008 to commence its mandate, (*b*) To allocate no more than two days at the beginning of the inaugural session of the Ad Hoc Committee, to reflect on all contributions and studies presented by various stakeholders and the relevant mechanisms which are necessary for the realization of its mandate.

22nd meeting
28 September 2007

[Resolution adopted by a recorded vote of 32 to 10, with 4 abstentions. The voting was as follows:

In favour: Angola, Azerbaijan, Bangladesh, Bolivia, Brazil, Cameroon, China, Cuba, Djibouti, Egypt, Ghana, Guatemala, India, Indonesia, Jordan, Madagascar, Malaysia, Mali, Mauritius, Mexico, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Zambia.

Against: Bosnia and Herzegovina, Canada, France, Germany, Italy, Netherlands, Romania, Slovenia, Switzerland, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Japan, Republic of Korea, Ukraine, Uruguay.]

6/22. From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance

The Human Rights Council,

Recalling its decision 3/103 of 8 December 2006,

Recalling also its resolution 3/2 of 8 December 2006,

Welcoming General Assembly resolution 61/149 of 19 December 2006 in which the Assembly decided to convene the Durban Review Conference in 2009,

Deploring the surge and sharp increases in xenophobic and racial tendencies in certain regions of the world, particularly towards those categories of victims already identified in the Durban Declaration and Programme of Action such as migrants, refugees, asylum-seekers, people of African descent, people of Asian descent and national and ethnic minorities,

Regretting the lack of political will to take decisive steps to combat racism in all its forms and manifestations and to concretely move away from denials about the persistence of racism, racial discrimination, xenophobia and related intolerance,

Underlining, in the above context, the imperative need to end posturing about racism and calling on all States to resolutely end impunity for acts of racism, racial discrimination, xenophobia and related intolerance, and to face the everyday realities and challenges of these scourges,

Absolutely convinced that the failure by States to translate the Durban commitments into concrete action and tangible results is attributable to a lack of political will, in particular with respect to honouring the memory of the victims of historical injustices and past tragedies caused by slavery, the slave trade, the transatlantic slave trade, apartheid, colonialism and genocide, and also underlining that Africans and people of African descent, Asians and people of Asian descent and indigenous peoples were victims of these injustices and tragedies and continue to be victims of their consequences,

Underlining in the above context, the importance of closing these dark chapters in history through reconciliation and healing, and calling on all concerned States to assume their moral obligation to halt and reverse the lasting and cascading consequences of these practices prior to the convening of the 2009 Durban Review Conference,

Noting the efforts of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action since its inception in 2002, by upholding and promoting the spirit of Durban, and registering some progress in spite of the obvious challenges,

1. *Decides* to realign the work and name of the Anti-Discrimination Unit in the Office of the United Nations High Commissioner for Human Rights consistent with its mandate and that henceforth, this Unit shall be known as "The Anti-Racial Discrimination Unit", and that its operational activities shall focus exclusively on racism, racial discrimination, xenophobia and related intolerance, as defined in paragraphs 1 and 2 of the Durban Declaration;

2. *Encourages* closer collaboration between the Intergovernmental Working Group and the Independent Eminent Experts on ways and means of achieving enhanced political will and commitment to combating all the contemporary manifestations of racism, racial discrimination, xenophobia and related intolerance;

3. *Emphasizes* the importance of demonstrating goodwill to humanity and the primacy of reconciliation, by taking concrete steps towards the implementation of key issues of concern to the victims of racism, racial discrimination, xenophobia and related intolerance, which relate to the restoration of their dignity and equality as envisaged in paragraphs 98 to 106 of the Durban Declaration;

4. *Regrets* that the commitments made in paragraphs 157 and 158 of the Durban Programme of Action remain unfulfilled;

5. *Decides* to remain seized of this important issue.

22nd meeting
28 September 2007

[Resolution adopted by a recorded vote of 28 to 13, with 5 abstentions. The voting was as follows:

In favour: Angola, Azerbaijan, Bangladesh, Bolivia, Cameroon, China, Cuba, Djibouti, Egypt, Ghana, India, Indonesia, Jordan, Madagascar, Malaysia, Mali, Mauritius, Nicaragua, Nigeria, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Zambia.

Against: Bosnia and Herzegovina, Canada, France, Germany, Italy, Japan, Netherlands, Republic of Korea, Romania, Slovenia, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Brazil, Guatemala, Mexico, Peru, Uruguay.]

6/23. Preparations for the Durban Review Conference

The Human Rights Council,

Welcoming General Assembly resolution 61/149 of 19 December 2006, by which the Assembly convened the Durban Review Conference in 2009,

Recalling its resolution 3/2 of 8 December 2006 by which the Council contextualized, clarified and elaborated on several preparatory processes for the Durban Review Conference, in accordance with the established practice of the General Assembly,

Welcoming the convening of the first session (organizational session) of the Preparatory Committee for the Durban Review Conference held in Geneva from 27 to 31 August 2007 and, in this regard, looking forward to the two substantive sessions of the Preparatory Committee tentatively scheduled to be held in Geneva from 21 April to 2 May 2008 and 6 to 17 October 2008, respectively,

Noting with deep regret, in the above context, the non-participation of all relevant non-governmental organizations, including the victims of racism, racial discrimination, xenophobia and related intolerance, and also regretting the fact that not all these entities were able to contribute to the Preparatory Committee's dialogue on the "Objectives of the Review Conference",

Noting that an effective preparatory process for the Durban Review Conference requires the full participation of all relevant non-governmental organizations, including the victims of racism, racial discrimination, xenophobia and related intolerance, in order for these entities to contribute to the Preparatory Committee's dialogue on the objectives of the Conference,

Noting all the decisions taken by the Preparatory Committee with regard to the facilitation of all the preparatory processes to the 2009 Durban Review Conference,

1. *Requests* the Chairperson of the Preparatory Committee for the Durban Review Conference to present her report to the General Assembly during its sixty-second session, covering the activities of the Preparatory Committee and progress made in preparation for the 2009 Durban Review Conference;

2. *Looks forward* to the General Assembly, in its capacity as the highest political entity of the United Nations system, providing political guidance and taking further decisions, as and when necessary, to ensure a smooth and successful Conference with a relevant substantive outcome complementary to the Durban Declaration and Programme of Action;

3. *Decides* to remain seized of this important item on its agenda.

22nd meeting
28 September 2007

[Resolution adopted by a recorded vote of 33 to 10, with 3 abstentions. The voting was as follows:

In favour: Angola, Azerbaijan, Bangladesh, Bolivia, Brazil, Cameroon, China, Cuba, Djibouti, Egypt, Ghana, Guatemala, India, Indonesia, Jordan, Madagascar, Malaysia, Mali, Mauritius, Mexico, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Uruguay, Zambia.

Against: Bosnia and Herzegovina, Canada, France, Germany, Italy, Netherlands, Romania, Slovenia, Switzerland, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Japan, Republic of Korea, Ukraine.]

6/24. World Programme for Human Rights Education

The Human Rights Council,

Recalling General Assembly resolutions 59/113 A of 10 December 2004, 59/113 B of 14 July 2005 and 60/251 of 15 March 2006, as well as Commission on Human Rights resolution 2005/61 of 20 April 2005 and Sub-Commission for the Promotion and Protection of Human Rights resolution 2006/19 of 24 August 2006, concerning the World Programme for Human Rights Education and the Plan of Action for its first phase (2005-2007),

Reaffirming the need for continued actions at the international level to support national efforts to achieve the internationally agreed development goals, including those contained in the United Nations Millennium Declaration, in particular universal access to basic education for all, by 2015,

1. *Takes note* of the progress report of the United Nations High Commissioner for Human Rights on the first phase (2005-2007) of the World Programme for Human Rights Education (A/HRC/4/85);

2. *Takes note also* of the work done so far by the United Nations Inter-Agency Coordinating Committee on Human Rights Education in the School System, and of the future activities, in particular in the areas of technical assistance and information-sharing, identified by the Committee as requiring support by the United Nations system in the implementation of the Plan of Action at the national level;

3. *Decides* to extend for two more years (2008-2009) the first phase of the World Programme for Human Rights Education in order to allow all relevant actors to accomplish the implementation of the Plan of Action, focusing on the primary and secondary school systems;

4. *Encourages* all States to develop initiatives within the World Programme for Human Rights Education and, in particular, to implement, within their capabilities, the Plan of Action for the first phase of the World Programme as adopted by the General Assembly;

5. *Requests* all the members of the United Nations Inter-Agency Coordinating Committee on Human Rights Education in the School System and, in particular, the United Nations High Commissioner for Human Rights and United Nations Educational,

Scientific and Cultural Organization, to promote the national implementation of the Plan of Action, provide technical assistance when requested and coordinate related international efforts;

6. *Calls upon* all existing national human rights institutions to assist in the implementation of human rights education programmes consistent with the Plan of Action;

7. *Appeals* to relevant organs, bodies or agencies of the United Nations system, as well as all other international and regional intergovernmental and non-governmental organizations, within their respective mandates, to promote and technically assist, when requested, the national implementation of the Plan of Action;

8. *Requests* the Office of the United Nations High Commissioner for Human Rights and United Nations Educational, Scientific and Cultural Organization to disseminate widely the Plan of Action among States and intergovernmental and non-governmental organizations by any means, including electronic means and formats of communication which are accessible to persons with disabilities;

9. *Also requests* the Office of the High Commissioner for Human Rights to report to the Council at its last 2008 session on progress made towards the implementation of the present resolution;

10. *Decides* to consider this issue at its last 2008 session under the same agenda item.

22nd meeting
28 September 2007

[Resolution adopted without a vote.]

6/25. Regional cooperation for the promotion and protection of human rights in the Asia-Pacific Region

The Human Rights Council,

Recalling resolution 1993/51 of 9 March 1993 of the Commission on Human Rights and its subsequent resolutions concerning regional arrangements for the promotion and protection of human rights,

Recalling also its decision 3/102 of 5 December 2006,

Reaffirming that regional arrangements can play an important role in promoting and protecting human rights and should reinforce universal human rights standards, as contained in the international human rights instruments,

Welcoming the efforts of the Office of the United Nations High Commissioner for Human Rights in developing partnerships for the implementation of its activities under the Framework for Regional Technical Cooperation Programme in Asia and the Pacific (E/CN.4/1998/50/annex II) to enhance national capacities for the promotion and protection of human rights, *Welcoming also* the convening of the Fourteenth Annual Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region, held in Bali from 10 to 12 July 2007 and the adoption of the Bali Action Points,

1. *Requests* the High Commissioner for Human Rights to submit for the Council's consideration at its seventh session a report containing the conclusion of the Fourteenth Annual Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region and information on the progress achieved in the implementation of the present resolution;

2. *Decides* to convene the next session of the Annual Workshop on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region in 2008.

22nd meeting
28 September 2007

[Resolution adopted without a vote.]

6/26. Elaboration of human rights voluntary goals to be launched on the occasion of the celebration of the sixtieth anniversary of the Universal Declaration of Human Rights

The Human Rights Council,

Guided by the purposes, principles and provisions of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights,

Recognizing the importance of the core international human rights instruments,

Recognizing also the relevance of optional protocols of the core international human rights instruments,

Bearing in mind that 2008 marks the sixtieth anniversary of the Universal Declaration of Human Rights,

Taking note with appreciation of the initiative of member and associate States of the Common Market of the South (MERCOSUR), to present a proposal to elaborate a set of human rights goals to be pursued, inspired by the Millennium Development Goals, to promote the implementation of the Universal Declaration of Human Rights, and also taking note with great appreciation of the process towards broadening cross-regional support for that initiative,

Taking into account that the above-mentioned initiative could bring more visibility and public awareness to the United Nations human rights system with a view to the promotion and protection of all human rights, *Recalling* that all human rights are universal, indivisible, interdependent and mutually reinforcing,

1. *Decides* to initiate an open-ended intergovernmental process in order to elaborate, on a consensual basis, a set of human rights voluntary goals, to promote the realization and implementation of the Universal Declaration of Human Rights in accordance with States' international human rights obligations and commitments to be launched on 10 December 2008 during the celebration of the sixtieth anniversary of the Universal Declaration of Human Rights;

2. *Also decides* to the end described in paragraph 1 above to take the following steps:

(*a*) To invite States to refer to the occasion of the sixtieth anniversary of the Universal Declaration of Human Rights and to human rights voluntary goals at the High-level Segment of the Human Rights Council at its session in March 2008, and to hold a panel with the aim of exchanging views on the issue of human rights voluntary goals at that session;

(*b*) To invite the Office of the United Nations High Commissioner for Human Rights to present to the Human Rights Council by its session in June 2008 information on the programmes and activities to commemorate the sixtieth anniversary of the Universal Declaration of Human Rights;

(*c*) To hold thereafter open-ended intergovernmental informal consultations to elaborate a set of human rights voluntary goals to be presented to the Human Rights Council, on a consensual basis, through a draft resolution to be adopted by the Council at the end of its session in September 2008;

3. *Further decides* that the open-ended intergovernmental process will lead to the elaboration of human rights voluntary goals under the following issues:

(*a*) Universal ratification of the core international human rights instruments;

(*b*) Elaboration, in each country, where they do not exist, of national human rights programmes, and the creation of national institutions responsible for human rights issues, in accordance with the Vienna Declaration and Programme of Action of 1993 and the Paris Principles;

(*c*) Adoption of a legal, institutional and policy framework at the national level in order to ensure the promotion and protection of all human rights;

(*d*) Definition, within the framework of national human rights programmes, of targets and actions in the field of capacity-building as well as of a programme of human rights education and identification of needs and shortcomings related to international cooperation;

(*e*) Definition within the framework of national human rights programmes of targets and actions in compliance with the Universal Declaration of Human Rights, inter alia, to eliminate discrimination of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status;

4. *Emphasizes* that such human rights voluntary goals are to be regarded as reinforcing and by no means as replacing, either totally or partially, existing human rights obligations and commitments, including the implementation of the Universal Declaration of Human Rights;

5. *Welcomes* participation in the process of representatives of the United Nations and of regional human rights systems, as well as of all relevant stakeholders, according to the rules of procedure of the Human Rights Council;

6. *Decides* to consider the results of the open-ended intergovernmental process in elaborating a set of human rights voluntary goals to be submitted to the Human Rights Council, on a consensual basis, through a draft resolution, by its session in September 2008;

7. *Encourages* States and all relevant stakeholders to present to the Human Rights Council, during the commemoration process, the projects and activities undertaken at the national, regional and international levels on the occasion of the sixtieth anniversary of the Universal Declaration of Human Rights.

33rd meeting
14 December 2007

[Resolution adopted without a vote.]

6/27. Adequate housing as a component of the right to an adequate standard of living

The Human Rights Council,

Reaffirming all previous resolutions adopted by the Commission on Human Rights on the issue of adequate housing as a component of the right to an adequate standard of living, including resolution 2004/21 of 16 April 2004,

Reaffirming also all previous resolutions adopted by the Commission on Human Rights on the issue of women's equal ownership of, access to and control over land and the equal rights to own property and to adequate housing, including resolution 2005/25 of 15 April 2005,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling its resolutions 5/1 on institution-building of the United Nations Human Rights Council and 5/2 on the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council, of 18 June 2007, and stressing that the mandate-holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

Recalling also the rights related to housing enshrined in the Universal Declaration of Human Rights and elaborated in other international human rights treaties and instruments,

Recalling further the principles and commitments with regard to adequate housing enshrined in the relevant provisions of declarations and programmes adopted by major United Nations conferences and summits and by special sessions of the General Assembly and their follow up meetings, inter alia, the Istanbul Declaration on Human Settlements and the

Habitat Agenda (A/CONF.165/14), and the Declaration on Cities and Other Human Settlements in the New Millennium adopted at the twenty-fifth special session of the General Assembly, and annexed to its resolution S-25/2 of 9 June 2001,

Recalling resolution 42/1 of 13 March 1998 of the Commission on the Status of Women, in which, inter alia, the Commission urged States to design and revise laws to ensure that women were accorded full and equal rights to own land and other property, and the right to adequate housing, including through the right to inheritance, and to undertake administrative reforms and other necessary measures to give women the same right as men to credit, capital, appropriate technologies, access to markets and information,

Recalling also the resolve of the Heads of State and Government expressed in the United Nations Millennium Declaration to have achieved, by the year 2020, a significant improvement in the lives of at least 100 million slum-dwellers,

Concerned that any deterioration in the general housing situation disproportionally affects the poor, including women and children,

Recognizing that adequate housing is a key element for fostering family integration, contributing to social equity and strengthening the feeling of belonging, security and human solidarity, as stated in the outcome document of the twenty-seventh special session of the General Assembly, on children, entitled "A world fit for children", annexed to its resolution S-27/2 of 10 May 2002, and welcoming the commitment stated in the document to attach high priority to overcoming the housing shortage and other infrastructure needs, particularly for children in marginalized peri-urban and remote rural areas,

Noting the work of the United Nations treaty bodies, in particular of the Committee on Economic, Social and Cultural Rights, in the promotion of the rights related to adequate housing, and in this regard noting the affirmation in its general comment No. 4 that the human right to adequate housing is of central importance for the enjoyment of all economic, social and cultural rights, as well as general comments Nos. 7 and 16,

1. *Acknowledges* the work undertaken by the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, as well as the advancing of the conceptual understanding of the right to adequate housing;

2. *Also acknowledges* the work done by the Special Rapporteur in promoting a gender perspective to his work, and in highlighting women's rights in relation to housing, land and property, as well as reporting on women and adequate housing;

3. *Expresses concern* at the prevalence of homelessness and inadequate housing, the growth of slums worldwide, forced evictions, the increase in challenges faced by migrants in relation to adequate housing, as well as of refugees in conflict and post-conflict situations, challenges to the full enjoyment of the right to adequate housing caused by the impact of climate change, natural disasters and pollution, insecurity of tenure, unequal rights of men and women to property and inheritance, as well as other violations of and impediments to the full realization of the right to adequate housing;

4. *Urges* States:

(*a*) To give full effect, without discrimination of any kind as to race, colour, sex, language, religion, disability, political or other opinion, national, or social origin, property, birth or other status, to the right to adequate housing, including through domestic legislation and policies and programmes based, as appropriate, on statistical data, benchmarks or housing indicators, giving particular attention to individuals, most often women and children, and members of communities living in extreme poverty, as well as to security of tenure;

(*b*) To ensure the observance of all their legally binding national standards in the area of housing, and to develop, where necessary, new national standards, in accordance with their obligations under international human rights law and to consider ratifying all relevant human rights treaties;

(*c*) To protect all persons from forced evictions that are not in accordance with the law and international human rights treaties, and to provide legal protection and redress for such forced evictions;

(*d*) To counter social exclusion and marginalization of people and communities who suffer from discrimination on single or multiple grounds, in particular by ensuring non-discriminatory access to adequate housing for indigenous people and persons belonging to minorities;

(*e*) To promote participation in decision-making processes and inclusion of relevant stakeholders in the planning stage of urban or rural development, in particular at the local level, when developing an adequate standard of living and housing;

(*f*) To promote residential social inclusion of all members of society at the planning stage of urban and rural development schemes and other human settlements, while renewing neglected areas of public housing, so as to counter social exclusion and marginalization;

(*g*) To pay due attention to the human rights and needs of persons with disabilities in the context of adequate housing, and in this regard to accessibility, including the removal of barriers and obstacles, and to promote equal access to public housing programmes, and to consider taking these issues into account in fulfilling their reporting obligations under international human rights instruments;

(*h*) To enable all persons to obtain shelter and access to affordable housing and access to land, inter alia, by taking appropriate measures aimed at removing discriminatory obstacles to access, with special emphasis on meeting the needs of women, especially those who are facing or who have faced violence and those living in poverty and female heads of household;

(*i*) To take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of their available resources, with a view to achieving progressively the full realization of the right to adequate housing;

5. *Decides* to extend for a period of three years the mandate of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, in order to, inter alia:

(*a*) Promote the full realization of adequate housing as a component of the right to an adequate standard of living;

(*b*) Identify best practices as well as challenges and obstacles to the full realization of the right to adequate housing, and identify protection gaps in this regard;

(*c*) Give particular emphasis to practical solutions with regard to the implementation of the rights relevant to the mandate;

(*d*) Apply a gender perspective, including through the identification of gender-specific vulnerabilities in relation to the right to adequate housing and land;

(*e*) Facilitate the provision of technical assistance;

(*f*) Work in close cooperation, while avoiding unnecessary duplication, with other special procedures and subsidiary organs of the Human Rights Council, relevant United Nations bodies, the treaty bodies and regional human rights mechanisms;

(*g*) Submit a report on the implementation of the present resolution to the General Assembly at its sixty-third session and to the Council in 2008, in accordance with its annual programme of work;

6. *Takes note* of the work on the Basic principles and guidelines on development-based evictions and displacement and of the need to continue to work on them, including through consultations with States and other stakeholders;

7. *Also takes note* of the work on the development of indicators on adequate housing;

8. *Invites* the outgoing Special Rapporteur to submit to the Council at its seventh session a comprehensive final report on his findings, conclusions and recommendations;

9. *Requests* the United Nations High Commissioner for Human Rights to ensure that the Special Rapporteur receives the necessary resources to enable him/her to discharge the mandate fully;

10. *Calls upon* all Governments to cooperate with the Special Rapporteur, and to consider responding favourably to his/her requests to visit their countries and to provide him/her with all the necessary information related to the mandate to enable him/her to fulfil the mandate effectively;

11. *Decides* to continue its consideration of this matter under the same agenda item.

33rd meeting
14 December 2007

[Resolution adopted without a vote.]

6/28. Protection of human rights and fundamental freedoms while countering terrorism: mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

The Human Rights Council,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling Human Rights Council resolutions 5/1 on institution-building of the United Nations Human Rights Council and 5/2 on the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council, of 18 June 2007, and stressing that the mandate-holder shall discharge his/her duties in accordance with these resolutions and the annexes thereto,

Recalling Commission on Human Rights resolutions 2004/87 of 21 April 2004 and 2005/80 of 21 April 2005 and General Assembly resolutions 59/191 of 20 December 2004, 60/158 of 16 December 2005 and 61/171 of 19 December 2006 and 62/159 of 12 December 2007 on the protection of human rights and fundamental freedoms while countering terrorism,

1. *Acknowledges with appreciation* the work and contributions of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism;

2. *Decides* to extend the mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, for a period of three years and requests the Special Rapporteur:

(*a*) To make concrete recommendations on the promotion and protection of human rights and fundamental freedoms while countering terrorism, including, at the request of States, for the provision of advisory services or technical assistance on such matters;

(*b*) To gather, request, receive and exchange information and communications from and with all relevant sources, including Governments, the individuals concerned, their families, representatives and organizations, including through country visits, with the consent of the State concerned, on alleged violations of human rights and fundamental freedoms while countering terrorism, with special attention to areas not covered by existing mandate-holders;

(*c*) To integrate a gender perspective throughout the work of his/her mandate;

(*d*) To identify, exchange and promote best practices on measures to counter terrorism that respect human rights and fundamental freedoms;

(*e*) To work in close coordination with other relevant bodies and mechanisms of the United Nations, and in particular with other special procedures of the Human Rights Council, in order to strengthen the work for the promotion and protection of human rights and fundamental freedoms while avoiding unnecessary duplication of efforts;

(*f*) To develop a regular dialogue and discuss possible areas of cooperation with Governments and all relevant actors, including relevant United Nations bodies, specialized agencies and programmes, inter alia with the Counter-Terrorism Committee of the Security Council, including its Executive Directorate, the Counter-Terrorism Implementation Task Force, the Office of the United Nations High Commissioner for Human Rights, the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime and treaty bodies, as well as non-governmental organizations and other regional or subregional international institutions, while respecting the scope of his/her mandate and fully respecting the respective mandates of the above-mentioned bodies and with a view to avoiding duplication of effort;

(*g*) To report regularly to the Human Rights Council and to the General Assembly;

3. *Requests* all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, including by reacting promptly to the Special Rapporteur's urgent appeals and providing the information requested;

4. *Calls upon* all Governments to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries;

5. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human, technical and financial assistance to the Special Rapporteur for the effective fulfilment of his/her mandate;

6. *Decides* to continue consideration of this question in conformity with the annual programme of work of the Human Rights Council.

33rd meeting
14 December 2007

[Resolution adopted without a vote.]

6/29. Right of everyone to the enjoyment of the highest attainable standard of physical and mental health

The Human Rights Council,

Aware that, for millions of people throughout the world, the full enjoyment of the right to the highest attainable standard of physical and mental health still remains a distant goal and that, in many cases, especially for those living in poverty, this goal remains remote,

Reaffirming that the right of everyone to the enjoyment of the highest attainable standard of physical and mental health is a human right as reflected, inter alia, in article 25, paragraph 1, of the Universal Declaration of Human Rights, article 12 of the International Covenant on Economic, Social and Cultural Rights and article 24 of the Convention on the Rights of the Child, as well as, with respect to non-discrimination, in article 5 (e) (iv) of the International Convention on the Elimination of All Forms of Racial Discrimination and in article 12, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, and that such a right derives from the inherent dignity of the human person, *Taking note with interest* of general comment No. 14 (2000) on the right to the highest attainable standard of health (article 12 of the International Covenant on Economic, Social and Cultural Rights), adopted by the Committee on Economic, Social and Cultural Rights at its twenty-second session in May 2000; of general comment No. 3 (2003) on HIV/AIDS and the rights of the child, adopted by the Committee on the Rights of the Child at its thirty-second session; and of general recommendation No. 24 (1999) on women and health (article 12 of the Convention on the Elimination of All Forms of Discrimination against Women), adopted by the Committee on the Elimination of Discrimination against Women at its twentieth session,

Recalling all resolutions on the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health adopted by the General Assembly and the Commission on Human Rights,

Recalling also the declarations and programmes of action adopted by the major United Nations conferences and summits and their follow-up meetings,

Recognizing the need for States, in cooperation with international organizations and civil society, including non-governmental organizations and the private sector, to create favourable conditions at the national, regional and international levels to ensure the full and effective enjoyment of the right of everyone to the highest attainable standard of physical and mental health,

Concerned about the interrelations between poverty and the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, in particular that ill-health can be both a cause and a consequence of poverty,

Recalling the commitments made by the international community to fully implement the health-related Millennium Development Goals,

Stressing that gender equality and the empowerment of women and girls are fundamental elements in the reduction of their vulnerability to HIV/AIDS and that the advancement of women and girls is a key factor in reversing the pandemic, and noting the importance of increasing investments in and accelerating research on the development of effective HIV-prevention methods, including female-controlled methods and microbicides,

Recalling the creation, under the aegis of the International Action against Hunger and Poverty of the international drug purchase facility UNITAID, which facilitates access to drugs for the world's poorest people as part of the fight against the major pandemic diseases, such as HIV/AIDS, malaria and tuberculosis,

Recognizing the complementary and mutually reinforcing relationship between health and human rights, as well as the indispensable contribution of health professionals to the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, *Recalling* its resolutions 5/1 on institution-building of the United Nations Human Rights Council and 5/2 on the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council, of 18 June 2007, and stressing that the mandate-holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

1. *Decides* to extend the mandate of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health for a further period of three years as reflected in article 25, paragraph 1, of the Universal Declaration of Human Rights, article 12 of the International Covenant on Economic, Social and Cultural Rights, article 24 of the Convention on the Rights of the Child and article 12 of the Convention on the Elimination of All Forms of Discrimination against Women, as well as on the right to non-discrimination as reflected in article 5 (e) (iv) of the International Convention on the Elimination of All Forms of Racial Discrimination. Pursuant to resolutions 2002/31 and 2004/27 of the Commission on Human Rights, the mandate of the Special Rapporteur shall include the following tasks:

(*a*) To gather, request, receive and exchange information from all relevant sources, including Governments, intergovernmental and non-governmental organizations, on the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, as well as policies designed to achieve the health-related Millennium Development Goals;

(*b*) To develop a regular dialogue and discuss possible areas of cooperation with all relevant actors, including Governments, relevant United Nations bodies, specialized agencies and programmes, in particular the World Health Organization and the Joint United Nations Programme on HIV/AIDS, as well as non-governmental organizations and international financial institutions;

(*c*) To report on the status, throughout the world, of the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and on developments relating to this right, including on laws, policies and good practices most beneficial to its enjoyment and obstacles encountered domestically and internationally to its implementation;

(*d*) To make recommendations on appropriate measures to promote and protect the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, with a view to supporting States' efforts to enhance public health;

(*e*) To submit an annual report to the Human Rights Council and an interim report to the General Assembly on its activities, findings, conclusions and recommendations;

2. *Encourages* the Special Rapporteur, in fulfilling her/his mandate:

(*a*) To continue to explore how efforts to realize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health can reinforce poverty reduction strategies;

(*b*) To continue the analysis of the human rights dimensions of the issues of neglected diseases and diseases particularly affecting developing countries, and also the national and international dimensions of those issues;

(*c*) To continue to pay particular attention to the identification of good practices for the effective operationalization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

(*d*) To continue to apply a gender perspective in her/his work and to pay special attention to the needs of children and other vulnerable and marginalized groups in the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

(*e*) To pay due attention to the rights of persons with disabilities in the context of the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

(*f*) To continue to pay attention to sexual and reproductive health as an integral element of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

(*g*) To continue to avoid in her/his work any duplication or overlapping with the work, competence and mandate of other international bodies active in health issues;

(*h*) To submit proposals that could help the realization of the health-related Millennium Development Goals;

3. *Takes note* of the most recent reports of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including the recommendations contained therein;

4. *Calls upon* all States:

(*a*) To give due consideration to the recommendations of the Special Rapporteur;

(*b*) To guarantee that the right of everyone to the enjoyment of the highest attainable standard of physical and mental health will be exercised without discrimination of any kind;

(*c*) To ensure that relevant legislation, regulations and national and international policies take due account of the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

(*d*) To take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of their available resources, with a view to achieving progressively the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

(*e*) To consider ratifying the Framework Convention on Tobacco Control adopted by the fifty-sixth World Health Assembly;

(*f*) To pay special attention to the situation of the poor and other vulnerable and marginalized groups, including by the adoption of positive measures, in order to safeguard the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

(*g*) To place a gender perspective at the centre of all policies and programmes affecting women's health;

(*h*) To protect and promote sexual and reproductive health as integral elements of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

(*i*) To take into account the fact that access to medication in the context of pandemics such as HIV/AIDS, tuberculosis and malaria is a fundamental element for achieving progressively the full realization of the right to health;

(*j*) To pay due attention to the rights of persons with disabilities in the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including by ensuring equal access for persons with disabilities to the same range, quality and standard of free or affordable health care and programmes, as provided to other persons, and by providing health services specifically needed by persons with disabilities because of their disabilities;

(*k*) To cooperate fully with the Special Rapporteur in the implementation of her/his mandate, to provide all information requested and to respond promptly to her/his communications;

(*l*) To give serious consideration to the requests for visits of the Special Rapporteur, so that she/he may carry out her/his mandate even more effectively;

5. *Recognizes* the indispensable role that health professionals play in the promotion and protection of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

6. *Calls upon* the international community to continue to assist developing countries in promoting the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including through financial and technical support and training of personnel, while recognizing that the primary responsibility for promoting and protecting all human rights rests with States;

7. *Urges* all international organizations with mandates having a bearing on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health to take into account their members' national and international obligations related to the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

8. *Affirms* that access to a sufficient amount of safe and clean water for personal and domestic use and adequate nutrition is fundamental to the realization of the right of everyone to the enjoyment of the highest attainable standard of health;

9. *Requests* the United Nations High Commissioner for Human Rights to continue providing all the necessary resources for the effective fulfilment of the Special Rapporteur's mandate from within existing resources;

10. *Decides* to continue consideration of this matter under the same agenda item, according to its programme of work.

33rd meeting
14 December 2007

[Resolution adopted without a vote.]

6/30. Integrating the human rights of women throughout the United Nations system

The Human Rights Council,

Reaffirming the equal rights of women and men enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Discrimination against Women and other international human rights instruments,

Reaffirming also the need to implement fully human rights law and international humanitarian law in order to protect the human rights of women and girls,

Reaffirming further the Beijing Declaration and Platform for Action, the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century", and the declaration adopted at the forty-ninth session of the Commission on the Status of Women,

Reaffirming international commitments on gender equality and the human rights of women embodied in the outcome documents of the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development, the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance; those made in their review processes, as well as those of the outcome document of the 2005 World Summit and the United Nations Millennium Declaration,

Recalling Security Council resolution 1325 (2000) on women, peace and security, and welcoming the report of the Secretary-General on women, peace and security (S/2007/567),

Underscoring that the principle of equality between women and men is essential for the enjoyment of each of the specific rights enumerated in the International Covenant on Civil and

Political Rights and the International Covenant on Economic, Social and Cultural Rights, as recognized by the Human Rights Committee and the Committee on Economic, Social and Cultural Rights,

Recalling all previous resolutions, including those adopted by the Commission on Human Rights and those of the Economic and Social Council, regarding the integration of the human rights of women and of gender mainstreaming into all policies and programmes throughout the United Nations system,

Acknowledging the need for a comprehensive approach to the promotion and protection of the human rights of women and the need to integrate a gender perspective in a more systemic way into all aspects of the work of the United Nations system, including the treaty bodies, and the Human Rights Council and its mechanisms,

Noting with appreciation the Secretary-General's report on follow-up to the Fourth World Conference on Women and progress made in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly (E/2006/65) and on mainstreaming a gender perspective into all policies and programmes of the United Nations system (E/2007/64),

Recognizing the important work of the Committee on the Elimination of Discrimination against Women and of the Commission on the Status of Women in promoting equality between women and men and in fighting discrimination against women,

Recognizing also the importance of the participation of women at all levels of decision-making throughout the United Nations system for the achievement of gender equality and the realization of the human rights of women,

Welcoming General Assembly resolution 61/143 of 19 December 2006 and its invitation to the Human Rights Council to discuss, by 2008, the question of violence against women in all its forms and manifestations, and to set priorities for addressing this issue in its future efforts and work programmes,

Reaffirming the important role that women's groups, human rights defenders and non-governmental organizations play in promoting and protecting the human rights of women,

Methodology

1. *Recognizes* the importance of examining, from a gender perspective, the intersection of multiple forms of discrimination and conditions of disadvantage, their root causes and consequences, and their impact on the advancement of women and the enjoyment by women of all human rights, in order to develop and implement strategies, policies and programmes aimed at the elimination of all forms of discrimination against women and to increase the role that women play in the design, implementation and monitoring of gender-sensitive anti-discrimination policies;

2. *Encourages* Member States to promote gender balance by, inter alia taking all the necessary measures, including budgetary and institutional measures, to guarantee the full participation of women in medium- and high-level ranks, regularly nominating more women

candidates for election and appointment to the human rights treaty bodies and mechanisms, international courts and tribunals, the specialized agencies and other organs, including the Human Rights Council subsidiary bodies;

3. *Calls upon* all relevant actors to implement General Assembly resolution 59/164 of 20 December 2004 on improvement of the status of women in the United Nations system, in order to realize significant progress towards the goal of fifty/fifty gender distribution in the very near future and to guarantee the full participation of women in higher levels of decision-making in the Organization;

4. *Reiterates* the need for integrating a gender perspective through using gender-inclusive language in the formulation, interpretation and implementation of human rights instruments, as well as in reports, resolutions and/or decisions of the Human Rights Council and its various mechanisms and of other human rights mechanisms;

5. *Encourages* United Nations bodies, agencies and mechanisms to identify, collect and use, including through acceptable and standardized methodology, appropriate data disaggregated by sex, age and other relevant factors, and gender-specific information in their activities and to use the tools at their disposal for gender analysis in monitoring and reporting;

United Nations system

6. *Takes note* of the report of the Secretary-General on integrating the human rights of women throughout the United Nations system (A/HRC/4/104) and encourages organs, bodies, mechanisms and agencies of the United Nations system to work to actively integrate the human rights of all women and a gender perspective throughout its work, including through exchange of information, lessons learned and best practices in this regard;

7. *Stresses* the need for integrating a gender perspective and the human rights of women into all United Nations activities, including conferences, special sessions and summits, and their outcome documents and follow-up;

8. *Recognizes* the important role of women in the prevention and resolution of conflicts and in peace-building, the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security and the need to increase their role in decision-making with regard to conflict prevention and resolution, and urges the United Nation system and Governments to make further efforts to ensure and support the full participation of women at all levels of decision-making and implementation in development activities and peace processes, including conflict prevention and resolution, post-conflict reconstruction, peacemaking, peacekeeping and peace-building;

Human rights treaty bodies, including the Committee on the Elimination of Discrimination against Women

9. *Encourages* the efforts of all the treaty bodies to integrate the human rights of women and a gender perspective into their work, in particular, in their concluding observations, general comments and recommendations;

10. *Urges* all States to implement their treaty obligations addressing the human rights of all women and girls, to withdraw reservations to treaties which are incompatible with the object and purpose of the specific treaties, and further encourages States to consider ratifying or acceding to all human rights treaties, including, as a matter of priority, the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto;

11. *Encourages* all entities of the United Nations system, as well as Governments and intergovernmental and non-governmental organizations, in particular women's organizations, as appropriate, to pay full and systematic attention to the recommendations of the Committee on the Elimination of Discrimination against Women and other treaty bodies, and encourages all relevant entities of the United Nations system to continue to assist States parties, upon the request of those States, in implementing their international human rights obligations;

12. *Welcomes* the submission of reports by United Nations specialized agencies, at the invitation of the Committee on the Elimination of Discrimination against Women, on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women and the contribution of non-governmental organizations to the work of the Committee;

Cooperation between United Nations agencies

13. *Welcomes* cooperation between the Commission on the Status of Women and the Human Rights Council, and the cooperation and coordination between the Division for the Advancement of Women, the Office of the United Nations High Commissioner for Human Rights and the Special Adviser on Gender Issues;

14. *Also welcomes* the work on the advancement of human rights of women and gender mainstreaming conducted by the recently established Women's Rights and Gender Unit within the Office of the High Commissioner for Human Rights and the continued commitment of the High Commissioner for Human Rights to integrating the issue of women's enjoyment of human rights throughout the United Nations system, and also encourages her ongoing commitment to raise awareness and promote the universal ratification and implementation of the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol and further welcomes cooperation in the implementation of this resolution;

Human Rights Council

15. *Reaffirms* its commitment to effectively integrate the human rights of women as well as a gender perspective, in its work and that of its mechanism in a systematic and transparent manner including in all phases of the universal periodic review, the Advisory Committee and the review of mandates;

Universal periodic review

16. *Urges* all stakeholders to take into full account both the rights of women and a gender perspective in the universal periodic review, including in the preparation of information submitted for the review, during the review dialogue, in the review outcome and in the review follow-up;

17. *Encourages* States to prepare the information described in paragraph 15 (*a*) of Human Rights Council resolution 5/1 through broad consultation at the national level with all relevant stakeholders, including non-governmental organizations active in addressing gender issues and the human rights of women and girls;

Special procedures and Advisory Committee

18. *Requests* all special procedures and other human rights mechanisms of the Human Rights Council and the Human Rights Council Advisory Committee regularly and systematically to integrate a gender perspective into the implementation of their mandate including when examining the intersection of multiple forms of discrimination against women and to include in their reports information on and qualitative analysis of human rights of women and girls, and welcomes the efforts made by most special procedures and other human rights mechanisms in that regard;

19. *Encourages* the strengthening of cooperation and coordination between the special procedures and other human rights mechanisms for the integration of human rights of women and a gender perspective in their work;

Programme of work

20. *Decides* to incorporate into its programme of work sufficient and adequate time, at minimum an annual full-day meeting, to discuss the human rights of women, including measures that can be adopted by States and other stakeholders, to address human rights violations experienced by women;

21. *Also decides* that the first such meeting should take place in the first half of 2008 and that it should include a discussion on violence against women, as mandated by the General Assembly in resolution 61/143 of 19 December 2006, inviting the Human Rights Council to discuss, by 2008, the question of violence against women in all its forms and manifestations, and to set priorities for addressing this issue in its future efforts and work programme;

22. *Welcomes* the panel discussion on the integration of a gender perspective in the work of the Human Rights Council, held on 20 and 21 September 2007, and decides to incorporate into its programme of work an annual discussion on the integration of a gender perspective throughout its work and that of its mechanisms, including the evaluation of progress made and challenges experienced;

Follow-up

23. *Requests* the Office of the United Nations High Commissioner for Human Rights to report in 2008 on the obstacles and challenges to the implementation of this resolution by the Human Rights Council and to make concrete recommendations for action to address such obstacles and challenges;

24. *Encourages* States to cooperate with and support the United Nations system in its efforts to integrate the human rights of women and a gender perspective to take into full consideration the content of the present resolution;

25. *Decides* to continue its consideration of both the rights of women and the integration of a gender perspective in accordance with the programme of work of the Human Rights Council.

33rd meeting
14 December 2007

[Resolution adopted without a vote.]

6/31. Advisory services and technical assistance for Liberia

The Human Rights Council,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as enshrined in the Charter of the United Nations, as reaffirmed in the Universal Declaration of Human Rights, and in accordance with their respective obligations under the International Covenants on Human Rights and other applicable human rights instruments,

Recalling General Assembly resolution 60/251 of 15 March 2006,

Recalling also its resolutions 5/1 on institution-building of the United Nations Human Rights Council and 5/2 on the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council, of 18 June 2007, and stressing that the mandate-holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

Bearing in mind Commission on Human Rights resolution 2005/117 of 22 April 2005,

Recognizing the efforts by the United Nations, the Economic Community of West African States, the African Union and the European Union to help provide Liberia with backing to fully re-establish peace and security in its national territory,

Considering the expectations of the people of Liberia following the elections of 2005 that led to the re-establishment of democratic institutions in Liberia,

Welcoming the steps taken by the Government of Liberia to improve the situation of human rights in Liberia, and recognizing that this is an ongoing process which needs the continued support of the international community,

1. *Encourages* the Government of Liberia to continue its work to improve the promotion and protection of human rights to enable the people of Liberia to have full enjoyment of their human rights;

2. *Urges* the international community to provide the Government of Liberia with appropriate funding and assistance to enable it better to consolidate human rights, peace and security in its national territory;

3. *Decides* to extend by one year the mandate of the independent expert on the situation of human rights in Liberia;

4. *Requests* that the independent expert ensures that her work complements that of the United Nations Mission in Liberia;

5. *Invites* the independent expert to assist the Government of Liberia to identify opportunities to maximize the flow of technical assistance;

6. *Also invites* the independent expert to submit a final report on the effectiveness and efficiency of the measures applied in practice to the Council at its ninth session.

33rd meeting
14 December 2007

[Resolution adopted without a vote.]

6/32. Mandate of the Representative of the Secretary-General on the human rights of internally displaced persons

The Human Rights Council,

Recalling all previous resolutions on internally displaced persons adopted by the General Assembly and the Commission on Human Rights, including Commission on Human Rights resolution 2005/46 of 19 April 2005,

Recalling also General Assembly resolution 46/182 of 19 December 1991 on the strengthening of the coordination of humanitarian emergency assistance of the United Nations and the Guiding Principles annexed thereto,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling its resolutions 5/1 on institution-building of the United Nations Human Rights Council and 5/2 on the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council, of 18 June 2007, and stressing that the mandate-holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

Recalling also the provisions of its resolution 5/1 concerning the continuation of mandate-holders for a period of up to six years, without prejudice to the provisions contained in that resolution on the appointment procedure for special procedures,

Noting the report of the Secretary-General on the performance and effectiveness of the new mechanism on internal displacement submitted to the Commission on Human Rights at its sixty-second session (E/CN.4/2006/69),

1. *Commends* the Representative of the Secretary-General for the activities undertaken to date, for the catalytic role that he has played in raising the level of awareness of the plight of internally displaced persons and for his ongoing efforts to address their development and other specific needs, including through the mainstreaming of the human rights of internally displaced persons into all relevant parts of the United Nations system;

2. *Expresses its appreciation* to those Governments and intergovernmental and non-governmental organizations that have provided protection and assistance to internally displaced persons and have supported the work of the Representative of the Secretary-General;

3. *Expresses concern* at the persistent problems of large numbers of internally displaced persons worldwide, in particular the risk of extreme poverty and socio-economic exclusion, their limited access to humanitarian assistance, vulnerability to human rights violations and difficulties resulting from their specific situation, such as lack of food, medication or shelter and issues pertinent during their reintegration, including, in appropriate cases, the need for the restitution of or compensation for property;

4. *Expresses particular concern* at the grave problems faced by many internally displaced women and children, including violence and abuse, sexual exploitation, forced recruitment and abduction, and notes the need to continue to pay more systematic and in-depth attention to their special assistance, protection and development needs, as well as those of other groups with special needs among the internally displaced, such as older persons and persons with disabilities, taking into account the relevant resolutions of the General Assembly and bearing in mind Security Council resolution 1325 (2000) of 31 October 2000;

5. *Recognizes* the Guiding Principles on Internal Displacement as an important international framework for the protection of internally displaced persons, and encourages member States and humanitarian agencies to continue to work together in endeavours to provide a more predictable response to the needs of internally displaced persons, and in this regard calls for international support, upon request, to capacity building efforts of States;

6. *Decides* to extend the mandate of the Representative of the Secretary-General on the human rights of internally displaced persons for a period of three years, in order to:

(*a*) Address the complex problem of internal displacement, in particular by mainstreaming human rights of the internally displaced into all relevant parts of the United Nations system;

(*b*) Work towards strengthening the international response to the complex problem of situations of internal displacement and engage in coordinated international advocacy and action for improving protection and respect of the human rights of the internally displaced, while continuing and enhancing dialogue with Governments, non-governmental organizations and other relevant actors;

7. *Requests* the Representative of the Secretary-General on the human rights of internally displaced persons, in carrying out his/her mandate:

(*a*) To continue, through continuous dialogue with Governments and all intergovernmental and non-governmental organizations concerned, the analysis of the reasons for internal displacement, the needs and human rights of those displaced, the development of benchmarks for assessing when displacement ends, measures of prevention and ways to strengthen protection, assistance and durable solutions for internally displaced persons, taking into account specific situations and relevant information, including in particular national data and statistics, and to include information thereon in his/her reports to the Human Rights Council;

(*b*) To continue, through continuous dialogue with Governments and all intergovernmental and non-governmental organizations concerned, his/her efforts to promote comprehensive strategies and support that focus on prevention of displacement, better protection and assistance and durable solutions for those displaced, taking into account the primary responsibility of States within their jurisdiction in this regard;

(*c*) To continue to use the Guiding Principles on Internal Displacement in his/her dialogue with Governments, intergovernmental and non-governmental organizations and other relevant actors, and to continue his/her efforts to further the dissemination, promotion and application of the Guiding Principles and to provide support for efforts to promote capacity-building and the use of the Guiding Principles, as well as the development of domestic legislation and policies;

(*d*) To integrate a gender perspective throughout the work of the mandate and to give special consideration to the human rights of internally displaced women and children as well as other groups with special needs among the internally displaced, such as severely traumatized individuals, older persons and persons with disabilities, and their particular assistance, protection and development needs;

(*e*) To continue his/her efforts to promote, where appropriate, the consideration of the human rights and the specific protection and assistance needs of internally displaced persons in peace processes, peace agreements and reintegration and rehabilitation processes;

(*f*) To continue to pay attention to the role of the international community in assisting affected States, upon request, in meeting the protection and assistance needs of internally displaced persons, including in implementing national strategies and to incorporate in his/her advocacy activities an emphasis on the mobilization of adequate resources in response to the needs of affected countries;

(*g*) To continue, through continuous dialogue with Governments and the intergovernmental and non-governmental organizations concerned, his/her efforts to promote the protection of human rights of internally displaced persons in the context of natural disasters;

(*h*) To strengthen the cooperation established between the Representative of the Secretary-General and the United Nations, including in the framework of the Peacebuilding Commission, as well as other international and regional organizations, in particular his/her participation in the work of the Inter-Agency Standing Committee and its subsidiary bodies;

8. *Encourages* all Governments, in particular Governments of countries with situations of internal displacement, to facilitate United Nations activities addressing the protection, assistance and development needs of internally displaced persons and to respond favourably to

requests by the Representative for visits and information, and urges Governments and the relevant bodies of the United Nations system, also at the country level, to follow up effectively, where appropriate, on recommendations of the mandate-holder and to make available information on measures taken in this regard;

9. *Encourages* the United Nations, including its specialized agencies, regional intergovernmental organizations, mandate-holders, interested institutions and independent experts, and non-governmental organizations to develop regular dialogue and cooperation with the Representative of the Secretary-General in the fulfilment of his/her mandate;

10. *Requests* the Secretary-General to provide the Representative with all necessary assistance and adequate staffing to carry out his/her mandate effectively and to ensure that the mechanism works with the support of the Office of the United Nations High Commissioner for Human Rights and in close cooperation with the Emergency Relief Coordinator and the Office for the Coordination of Humanitarian Affairs and the United Nations High Commissioner for Refugees;

11. *Invites* the Representative of the Secretary-General to submit annual reports on the implementation of his/her mandate to the Human Rights Council and to the General Assembly, making suggestions and recommendations regarding the human rights of internally displaced persons, including on the impact of measures taken at the inter-agency level;

12. *Decides* to continue its consideration of the question of the human rights of internally displaced persons in conformity with the annual programme of work of the Human Rights Council.

34th meeting
14 December 2007

[Resolution adopted without a vote.]

6/33. Follow-up to the report of the Special Rapporteur on the situation of human rights in Myanmar

The Human Rights Council,

Guided by the principles and objectives of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Reaffirming its resolution S-5/1 of 2 October 2007,

Deeply concerned at the situation of human rights in Myanmar,

1. *Welcomes* the recent visit to Myanmar by the Special Rapporteur on the situation of human rights in Myanmar, as requested by the Human Rights Council in its resolution S-5/1 and takes note with appreciation of the cooperation extended to him by the Government of Myanmar;

2. *Welcomes* the report of the Special Rapporteur (A/HRC/6/14) and expresses deep concern regarding its findings;

3. *Strongly urges* the Government of Myanmar to follow up and implement the recommendations contained in the report;

4. *Reiterates its call* to the Government of Myanmar to ensure full respect for human rights and fundamental freedoms and to investigate and bring to justice perpetrators of human rights violations, including for the recent violations of the rights of peaceful protesters;

5. *Notes with appreciation* the recent release of a large number of detainees, while observing that very few were political detainees;

6. *Reiterates its call* to the Government of Myanmar to release without delay those arrested and detained as a result of the repression of recent peaceful protests, to release all political detainees in Myanmar, including Daw Aung San Suu Kyi, and to ensure that conditions of detention meet international standards and include the possibility of visiting any detainee;

7. *Also reiterates its call* to the Government of Myanmar to lift all restraints on the peaceful political activity of all persons by, inter alia, guaranteeing freedom of peaceful assembly and association, and of freedom of opinion and expression, including for free and independent media, and to ensure unhindered access to media information for the people of Myanmar;

8. *Recalls its appeal* to the Government of Myanmar to engage urgently in a reinvigorated national dialogue with all parties with a view to achieving genuine national reconciliation, democratization and the establishment of the rule of law;

9. *Urges* the Government of Myanmar to cooperate fully with humanitarian organizations, including by ensuring full, safe and unhindered access of humanitarian assistance to all persons in need throughout the country;

10. *Requests* the Special Rapporteur on the situation of human rights in Myanmar to monitor the implementation of this resolution and to conduct, in this regard, a follow-up mission to Myanmar at his earliest convenience;

11. *Encourages* the Government of Myanmar and the Office of the High Commissioner for Human rights to continue to engage in a dialogue with a view to ensuring full respect for all human rights and fundamental freedoms;

12. *Invites* the Special Rapporteur to continue to discharge his mandate in a coordinated manner with the Special Adviser of the Secretary General for Myanmar;

13. *Urges* the Government of Myanmar to cooperate fully with the Special Rapporteur and, upon request, other special procedures pertaining to the protection of vulnerable groups or the protection and promotion of civil and political or economic, social and cultural rights;

14. *Requests* the Office of the United Nations High Commissioner for Human Rights to provide the Special Rapporteur on the situation of human rights in Myanmar with adequate support, including expert human resources, to facilitate the fulfilment of the mandate entrusted to him by the present resolution;

15. *Requests* the Special Rapporteur on the situation of human rights in Myanmar to report to the Council at its seventh session;

16. *Decides* to remain seized of this matter.

34th meeting
14 December 2007

[Resolution adopted without a vote.]

6/34. Mandate of the Special Rapporteur on the situation of human rights in the Sudan

The Human Rights Council,

Guided by the principles and objectives of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms as stated in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other applicable human rights instruments,

Reaffirming also Commission on Human Rights resolution 2005/82 of 21 April 2005,

Recalling General Assembly resolution 60/251 of 15 March 2006,

Recalling also resolutions 5/1 on institution-building of the United Nations Human Rights Council and 5/2 on the Code of Conduct for Special Procedures Mandate-Holders of the Human Rights Council, of 18 June 2007, and stressing that the mandate-holder shall discharge his/her duties in accordance with these resolutions and their annexes,

Bearing in mind the report of the Special Rapporteur on the situation of human rights in all regions of the Sudan (A/62/354) and urging the implementation of the recommendations contained therein,

Having reviewed the mandate of the Special Rapporteur on the situation of human rights in the Sudan,

1. *Decides* to extend for one year the mandate of the Special Rapporteur on the situation of human rights in the Sudan, in accordance with Commission on Human Rights resolution 2005/82;

2. *Urges* the Government of the Sudan to continue cooperating fully with the Special Rapporteur and to respond favourably to her requests to visit the Sudan and to provide her with all necessary information so as to enable her to fulfil her mandate even more effectively;

3. *Requests* the Special Rapporteur to assess the needs of the Sudan in the context of her mandate and to mobilize the necessary international technical and financial support for the Sudan in the field of human rights, and invites relevant United Nations bodies and agencies, including the Office of the High Commissioner for Human Rights, to continue providing support and technical assistance to the Sudan in the field of human rights and calls upon donors to also continue providing financial and technical assistance and required equipment for the improvement of the human rights situation in the Sudan;

4. *Also requests* the Special Rapporteur to submit her outstanding annual report to the Council at its seventh session in March 2008 and her following report to the Council at its ninth session in September 2008;

5. *Further requests* the Special Rapporteur to ensure effective follow-up and to foster the implementation of the remaining short-term and the medium-term recommendations identified in the first report of the Group of Experts (A/HRC/5/6) through an open and constructive dialogue with the Government of the Sudan, taking into account the final report of the Group of Experts (A/HRC/6/19) and the replies of the Government thereon, and to include information in this regard in her report to the Council at its ninth session;

6. *Calls upon* the Secretary-General to provide the Special Rapporteur with all necessary assistance to enable her to discharge her mandate fully, including by enabling any required consultations in this regard.

34th meeting
14 December 2007

[Resolution adopted without a vote.]

6/35. Human Rights Council Group of Experts on the situation of human rights in Darfur

The Human Rights Council,

Recalling its resolution 4/8 of 30 March 2007,

Recalling also its resolution OM/1/3 of 20 June 2007,

1. *Welcomes* the report submitted by the Human Rights Council Group of Experts on the situation of human rights in Darfur (A/HRC/6/19) and the replies of the Government of the Sudan thereto;

2. *Acknowledges* the cooperation of the Government of the Sudan and welcomes the open and constructive dialogue between the Government and the Group of Experts;

3. *Acknowledges also* the efforts made by the Government of the Sudan to implement the recommendations identified by the Group of Experts, but expresses its concern that, for various reasons, the implementation of many recommendations has not been fully completed so as to lead to the desired level of improvement in the situation of human rights in Darfur;

4. *Expresses particular concern* at the fact that perpetrators of past and ongoing serious violations of human rights and international humanitarian law in Darfur have not yet been held accountable for their crimes and urges the Government of the Sudan to address urgently this question, by thoroughly investigating all allegations of human rights and international humanitarian law violations, promptly bringing to justice the perpetrators of those violations;

5. *Urges* the Government of the Sudan to continue and to intensify its efforts to implement the recommendations identified by the Group of Experts in accordance with the specified time frames and indicators;

6. *Invites* relevant United Nations bodies and agencies, including the Office of the United Nations High Commissioner for Human Rights, to continue providing support and technical assistance to the Sudan for the implementation of the recommendations of the Group of Experts and calls upon donors to continue providing financial and technical assistance and required equipment in this regard;

7. *Reiterates its call upon* all parties to put an end to all acts of violence against civilians, with special focus on vulnerable groups, including women, children and internally displaced persons, as well as human rights defenders and humanitarian workers;

8. *Calls upon* the signatories of the Darfur Peace Agreement to comply with their obligations under the Agreement, acknowledges the measures already taken towards its implementation and calls upon non-signatory parties to participate and to commit themselves to the Agreement, in compliance with relevant resolutions of the United Nations, including paragraph 5 of Council resolution 4/8.

34th meeting
14 December 2007

[Resolution adopted without a vote.]

6/36. Expert mechanism on the rights of indigenous peoples

The Human Rights Council,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006, and paragraph 84 of the annex to Human Rights Council resolution 5/1 of 18 June 2007,

Recalling that, at its sixty-first session, the General Assembly adopted in its resolution 61/295 of 13 September 2007 the United Nations Declaration on the Rights of Indigenous Peoples,

Bearing in mind Council resolution 6/16 of 28 September 2007, *Recalling* that the Council should be cognizant of the work being undertaken on indigenous issues by other bodies in the United Nations system,

1. *Decides*, in order to assist the Council in the implementation of its mandate, to establish a subsidiary expert mechanism to provide the Council with thematic expertise on the rights of indigenous peoples in the manner and form requested by the Council:

(*a*) The thematic expertise will focus mainly on studies and research-based advice;

(*b*) The mechanism may suggest proposals to the Council for its consideration and approval, within the scope of its work as set out by the Council;

2. *Also decides* that this mechanism shall report annually to the Council on its work;

3. *Further decides* that the expert mechanism shall consist of five independent experts, the selection of which shall be carried out in accordance with the procedure established in paragraphs 39 to 53 of the annex to Council resolution 5/1 of 18 June 2007;

4. *Strongly recommends* that, in the selection and appointment process, the Council give due regard to experts of indigenous origin;

5. *Decides*, in order for the expert mechanism to enhance cooperation and avoid duplicating the work of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and the Permanent Forum, that it shall invite the Special Rapporteur and a member of the Permanent Forum to attend and contribute to its annual meeting;

6. *Also decides* that the members of the expert mechanism shall serve for a three-year period and may be re-elected for one additional period;

7. *Further decides* that, within its mandate, the expert mechanism on the rights of indigenous peoples should determine its own methods of work, although the expert mechanism shall not adopt resolutions or decisions;

8. *Decides* that the expert mechanism shall meet once annually three days in its first year and thereafter for up to five days, and that the sessions may be a combination of open and private meetings;

9. *Also decides* that the annual meeting of the expert mechanism shall be open to the participation, as observers, of States, United Nations mechanisms, bodies and specialized agencies, funds and programmes, intergovernmental organizations, regional organizations and mechanisms in the field of human rights, national human rights institutions and other relevant national bodies, academics and experts on indigenous issues, non-governmental organizations in consultative status with the Economic and Social Council; the meeting shall also be open to indigenous peoples' organizations and non-governmental organizations, whose aims and purposes are in conformity with the spirit, purposes and principles of the Charter of the United Nations, based on arrangements, including Economic and Social Council resolution 1996/31 of 25 July 1996, and practices observed by the Commission on Human

Rights, through an open and transparent accreditation procedure in accordance with the rules of procedure of the Human Rights Council, which will provide for the timely information on participation and consultation with States concerned;

10. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human, technical and financial assistance to the expert mechanism for the effective fulfilment of its mandate.

34th meeting
14 December 2007

[Resolution adopted without a vote.]

6/37. Elimination of all forms of intolerance and of discrimination based on religion or belief

The Human Rights Council,

Recalling General Assembly resolution 36/55 of 25 November 1981, in which the Assembly proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and all resolutions on the elimination of all forms of intolerance and of discrimination based on religion or belief adopted by the General Assembly and by the former Commission on Human Rights,

Recalling also article 18 of the International Covenant on Civil and Political Rights, article 18 of the Universal Declaration of Human Rights and other relevant human rights provisions,

Reaffirming the recognition by the 1993 Vienna World Conference on Human Rights that all human rights are universal, indivisible, interdependent and interrelated, and its appeal to all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,

Recalling the 2005 World Summit Outcome in which the Heads of State and Government reaffirmed the Declaration and Programme of Action on a Culture of Peace as well as the Global Agenda for Dialogue Among Civilizations and its Programme of Action adopted by the General Assembly and the value of different initiatives on dialogue among cultures and civilizations, including the dialogue on interfaith cooperation and the Alliance of Civilizations, and committed themselves to taking action to promote a culture of peace and dialogue at the local, national, regional and international levels,

Recognizing the importance of promoting dialogue in order to enhance mutual understanding and knowledge among different social groups, cultures and civilizations in various areas, including culture, religion, education, information, science and technology, and in order to contribute to the promotion and protection of human rights and fundamental freedoms, *Underlining* the importance of education in the promotion of tolerance, which involves the acceptance by the public of, and its respect for, diversity, including with regard to religious expressions, and underlining also the fact that education should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

Recognizing the important work carried out by the Human Rights Committee with respect to the scope of the freedom of religion or belief,

Seriously concerned at all attacks upon religious places, sites and shrines in violation of international law, in particular human rights and humanitarian law, including any deliberate destruction of relics and monuments,

Seriously concerned also at the misuse of registration procedures and at the resort to discriminatory registration procedures as a means to limit the right to freedom of religion or belief of members of certain religious communities, at the limitations placed on religious publications and at the obstacles placed in the way of construction of places of worship inconsistent with the exercise of the right to freedom of religion or belief,

Convinced of the need to address the rise in all parts of the world of religious extremism affecting the rights of individuals and groups based on religion or belief, the situations of violence and discrimination that affect many women as well as individuals from other vulnerable groups in the name of religion or belief or due to cultural and traditional practices, and the abuse of religion or belief for ends inconsistent with the Charter of the United Nations and other relevant instruments of the United Nations,

Noting that a formal or legal distinction at the national level between different kinds of religions or faith-based communities may, in some cases, constitute discrimination and may impinge on the enjoyment of the freedom of religion or belief,

Emphasizing that States, regional organizations, non-governmental organizations, religious bodies and the media have an important role to play in promoting tolerance, respect and freedom of religion or belief,

Recognizing the importance of interreligious and intra-religious dialogue and the role of religious and other non-governmental organizations in promoting tolerance in matters relating to religion or belief, and welcoming different initiatives in this regard, including the Alliance of Civilizations, the programmes led by the United Nations Educational, Scientific and Cultural Organization and the High-level Dialogue on Interreligious and Intercultural Understanding and Cooperation for Peace, held at Headquarters on 4 and 5 October 2007,

Seriously concerned at the slow progress in the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Believing that further intensified efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion or belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief, as also noted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, *Having conducted* an assessment of the mandate of the Special Rapporteur on freedom of religion or belief in the form of an interactive dialogue during its present session, in accordance with its resolution 5/1 of 18 June 2007,

Recalling its resolutions 5/1 on institution-building of the United Nations Human Rights Council and 5/2 on the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council of 18 June 2007 and stressing that the mandate-holder shall discharge his/her duties in accordance with those resolutions and their annexes,

1. *Condemns* all forms of intolerance and of discrimination based on religion or belief as well as violations of the freedom of thought, conscience, religion or belief;

2. *Recognizes with deep concern* the overall rise in instances of intolerance and violence directed against members of many religious and other communities in various parts of the world, including cases motivated by Islamophobia, anti-Semitism and Christianophobia;

3. *Expresses concern* over the persistence of institutionalized or social intolerance and discrimination practiced against many in the name of or due to their religion or belief;

4. *Recalls* that legal procedures pertaining to religious or belief-based groups and places of worship are not a prerequisite for the exercise of the right to manifest one's religion or belief;

5. *Emphasizes* that such procedures as described in paragraph 4 above, at the national or local levels, as and when legally required, should be non-discriminatory in order to contribute to the effective protection of the right of all persons to practise their religion or belief either individually or in community with others and in public or private;

6. *Condemns* any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audio-visual and electronic media or any other means;

7. *Encourages* the United Nations High Commissioner for Human Rights to continue to make efforts to coordinate in the field of human rights the activities of relevant United Nations organs, bodies and mechanisms dealing with all forms of intolerance and discrimination based on religion or belief;

8. *Emphasizes* that promoting tolerance and acceptance by the public of and its respect for diversity and combating all forms of intolerance and of discrimination based on religion and belief are substantial elements in creating an environment conducive to the full enjoyment by all of the right to freedom of thought, conscience and religion, as enshrined in article 18 of the International Covenant on Civil and Political Rights;

9. *Urges* States:

(*a*) To ensure that their constitutional and legislative systems provide adequate and effective guarantees of freedom of thought, conscience, religion and belief to all without distinction, inter alia, by the provision of effective remedies in cases where the right to freedom of thought, conscience, religion or belief, or the right to practice freely one's religion, including the right to change one's religion or belief, is violated;

(b) To design and implement policies whereby education systems promote principles of tolerance and respect for others and cultural diversity and the freedom of religion or belief;

(c) To ensure that appropriate measures are taken in order to adequately and effectively guarantee the freedom of religion or belief of women as well as individuals from other vulnerable groups, including persons deprived of their liberty, refugees, children, persons belonging to minorities and migrants;

(d) To ensure that any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence is prohibited by law;

(e) To exert the utmost efforts, in accordance with their national legislation and in conformity with international human rights and humanitarian law, to ensure that religious places, sites, shrines and symbols are fully respected and protected and to take additional measures in cases where they are vulnerable to desecration or destruction;

(f) To review, whenever relevant, existing registration practices in order to ensure the right of all persons to manifest their religion or belief, alone or in community with others and in public or in private;

(g) To ensure, in particular, the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for these purposes and the right of all persons to write, issue and disseminate relevant publications in these areas;

(h) To ensure that, in accordance with appropriate national legislation and in conformity with international human rights law, the freedom of all persons and members of groups to establish and maintain religious, charitable or humanitarian institutions is fully respected and protected;

(i) To ensure that, on account of religion or belief or the expression or manifestation of religion or belief, no one within their jurisdiction is deprived of the right to life, liberty or security of person, subjected to torture or arbitrary arrest or detention, or denied the rights to work, education or adequate housing, as well as the right to seek asylum, and to bring to justice all perpetrators of violations of these rights;

(j) To ensure that all public officials and civil servants, including members of law enforcement bodies, the military and educators, in the course of their official duties, respect different religions and beliefs and do not discriminate on the grounds of religion or belief, and that all necessary and appropriate education or training is provided;

(k) To step up efforts in implementing the Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief;

(l) To take all necessary and appropriate action, in conformity with international standards of human rights, to combat hatred, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, as well as incitement to hostility and violence, with particular regard to religious minorities, and devoting particular attention to practices that violate the human rights of women and discriminate against women, including in the exercise of their right to freedom of thought, conscience, religion or belief;

(*m*) To promote and encourage, through education and other means, including regional or international cultural exchanges, understanding, tolerance and respect in all matters relating to freedom of religion or belief;

10. *Stresses* the need to strengthen dialogue, inter alia through the Global Agenda for Dialogue among Civilizations and the Alliance of Civilizations, including through the recently appointed High Representative of the Secretary-General for the Alliance of Civilizations and the focal unit created by the General Assembly in its resolution 61/221 within the Secretariat to interact with various entities in the United Nations system and coordinate their contribution to dialogue;

11. *Invites* all actors to address in the context of that dialogue, inter alia, the following issues within the framework of international human rights:

(*a*) The rise of religious extremism affecting religions in all parts of the world;

(*b*) The situations of violence and discrimination that affect many women as well as individuals from other vulnerable groups in the name of religion or belief or due to cultural and traditional practices;

(*c*) The abuse of religion or belief for ends inconsistent with the Charter of the United Nations and other relevant instruments of the United Nations;

12. *Emphasizes* the importance of a continued and strengthened dialogue among and within religions or beliefs, at all levels and with a broader participation including of women, to promote greater tolerance, respect and mutual understanding;

13. *Also emphasizes* that no religion should be equated with terrorism, as this may have adverse consequences on the enjoyment of the right to freedom of religion or belief of all members of the religious communities concerned;

14. *Further emphasizes* that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest religion or belief are permitted only if limitations are prescribed by law, are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others, and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

15. *Recommends* that the United Nations and other actors, including non-governmental organizations and bodies and groups based on religion or belief, in their efforts to promote freedom of religion or belief, ensure the widest possible dissemination of the text of the Declaration, in as many different languages as possible, and promote its implementation;

16. *Welcomes* the work of the Special Rapporteur on freedom of religion or belief;

17. *Concludes* that there is a need for the continued contribution of the Special Rapporteur to the protection, promotion and universal implementation of the right to freedom of religion or belief;

18. *Decides* therefore to extend the mandate of the Special Rapporteur on freedom of religion or belief for a further period of three years and, in this context, invites the Special Rapporteur:

(*a*) To promote the adoption of measures at the national, regional and international levels to ensure the promotion and protection of the right to freedom of religion or belief;

(*b*) To identify existing and emerging obstacles to the enjoyment of the right to freedom of religion or belief and present recommendations on ways and means to overcome such obstacles;

(*c*) To continue her/his efforts to examine incidents and governmental actions that are incompatible with the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief and to recommend remedial measures as appropriate;

(*d*) To continue to apply a gender perspective, inter alia, through the identification of gender-specific abuses, in the reporting process, including in information collection and in recommendations;

19. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the necessary resources to enable her/him to discharge her/his mandate fully;

20. *Urges* all Governments to cooperate fully with the Special Rapporteur and to respond favourably to her/his requests to visit their countries and to provide her/him with all necessary information so as to enable her/him to fulfil her/his mandate even more effectively;

21. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its sixty-third session;

22. *Also requests* the Special Rapporteur to submit the outstanding reports to the Council in accordance with its annual programme of work and the next annual report in 2009;

23. *Decides* to remain seized of this question under the same agenda item and to continue consideration of measures to implement the Declaration.

34th meeting
14 December 2007

[Resolution adopted by a recorded vote of 29 to none, with 18 abstentions. The voting was as follows:

In favour: Angola, Bolivia, Bosnia and Herzegovina, Brazil, Canada, Cuba, France, Germany, Ghana, Guatemala, India, Italy, Japan, Madagascar, Mauritius, Mexico, Netherlands, Nicaragua, Peru, Philippines, Republic of Korea, Romania, Russian Federation, Slovenia, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Zambia.

Against: None.

Abstaining: Azerbaijan, Bangladesh, Cameroon, China, Djibouti, Egypt, Gabon, Indonesia, Jordan, Malaysia, Mali, Nigeria, Pakistan, Qatar, Saudi Arabia, Senegal, South Africa, Sri Lanka.]

B. DECISIONS

6/101. Working Group on Communications

At its 20th meeting, on 27 September 2007, the Human Rights Council decided, without a vote, as a transitional measure, to request the members of the former Working Group on Communications to act as members of the Working Group on Communications of the new Complaint Procedure operating within the parameters of the new procedure until such time as the new Working Group is established.

6/102. Follow-up to Human Rights Council resolution 5/1

At its 20th meeting, on 27 September 2007, the Human Rights Council decided to adopt, without a vote:

"I. GENERAL GUIDELINES FOR THE PREPARATION OF INFORMATION UNDER THE UNIVERSAL PERIODIC REVIEW

"Reaffirming the relevant provisions, related to the universal periodic review, of General Assembly resolution 60/251 of 15 March 2006 and of Human Rights Council resolution 5/1 of 18 June 2007 containing the institution-building package, the Council adopts the following General Guidelines:

A. Description of the methodology and the broad consultation process followed for the preparation of information provided under the universal periodic review;

B. Background of the country under review and framework, particularly normative and institutional framework, for the promotion and protection of human rights: constitution, legislation, policy measures, national jurisprudence, human rights infrastructure including national human rights institutions and scope of international obligations identified in the 'basis of review' in resolution 5/1, annex, section IA;

C. Promotion and protection of human rights on the ground: implementation of international human rights obligations identified in the 'basis of review' in resolution 5/1, annex, section IA, national legislation and voluntary commitments, national human rights institutions activities, public awareness of human rights, cooperation with human rights mechanisms …;

D. Identification of achievements, best practices, challenges and constraints;

E. Key national priorities, initiatives and commitments that the State concerned intends to undertake to overcome those challenges and constraints and improve human rights situations on the ground;

F. Expectations of the State concerned in terms of capacity-building and requests, if any, for technical assistance;

G. Presentation by the State concerned of the follow-up to the previous review.

II. TECHNICAL AND OBJECTIVE REQUIREMENTS FOR ELIGIBLE CANDIDATES FOR MANDATE-HOLDERS

A. Background

According to resolution 5/1, 'the following general criteria will be of paramount importance while nominating, selecting and appointing mandate-holders: (a) expertise; (b) experience in the field of the mandate; (c) independency; (d) impartiality; (e) personal integrity; (f) objectivity'. Due consideration should be given to gender balance as well as to appropriate representation of different legal systems. 'Eligible candidates are highly qualified individuals who possess established competence, relevant expertise and extensive professional experience in the field of human rights' (paras. 39-41).

B. General aspects

1. The Office of the United Nations High Commissioner for Human Rights has the responsibility to 'immediately prepare, maintain and periodically update a public list of eligible candidates in a standardized format'. The list shall include 'personal data, areas of expertise and professional experience' (resolution 5/1, para. 43).

2. The Secretariat may provide a standardized form, on the basis of the technical and objective requirements stipulated below, for candidates to fill in, and shall allow for highlighting any expertise they possess in specific areas, so as to facilitate the selection of relevant candidacies from the roster as soon as appointments for particular mandates are necessary.

3. The data and information provided by the candidates shall be substantiated by appropriate written credentials to be annexed to the curricula vitae.

4. 'A consultative group would be established to propose to the President, at least one month before the beginning of the session in which the Council would consider the selection of mandate-holders, a list of candidates who possess the highest qualifications for the mandates in question and meet the general criteria and practical requirements' (resolution 5/1, para. 47).

C. Technical and objective requirements

The following should be considered:

1. Qualifications: relevant educational qualifications or equivalent professional experience in the field of human rights; good communication skills in one of the official languages of the United Nations.

2. Relevant expertise: knowledge of international human rights instruments, norms and principles; as well as knowledge of institutional mandates related to the United Nations or other international or regional organizations' work in the area of human rights; proven work experience in the field of human rights.

3. Established competence: nationally, regionally or internationally recognized competence related to human rights.

4. Flexibility/readiness and availability of time to perform effectively the functions of the mandate and to respond to its requirements, including attending Human Rights Council sessions.

III. ADVISORY COMMITTEE OF THE HUMAN RIGHTS COUNCIL

Technical and objective requirements for the submission of candidatures

Mandate: In conformity with resolution 5/1, the technical and objective requirements for the submission of candidatures will be established and approved by the Human Rights Council at its sixth session (first session of the second cycle). These should include:

- Recognized competence and experience in the field of human rights;
- High moral standing;
- Independence and impartiality.

When selecting their candidates, States should consult their national human rights institutions and civil society organizations and apply the following guidelines on technical and objective requirements for the submission of their candidates:

A. Competence and experience

- Academic studies in the field of human rights or related areas and/or experience and exposure to leadership roles in the human rights field at the national, regional, or international level;
- Substantial experience (at least five years) and personal contributions in the field of human rights;
- Knowledge of the United Nations system and of institutional mandates and policies related to the work in the area of human rights, as well as knowledge of international human rights instruments, norms, disciplines, and familiarity with different legal systems and civilizations will be preferable;
- Proficiency in at least one of the United Nations official languages;
- Availability of time to fulfil the work of the Advisory Committee in an effective manner, both to attend its sessions and to carry out mandated activities between sessions.

B. High moral standing

C. Independence and impartiality

Individuals holding decision-making positions in Government or any other organization or entity which might give rise to a conflict of interest with responsibilities inherent to the mandate shall be excluded. Elected members of the Advisory Committee will act in their personal capacity.

D. Other considerations

The principle of non-accumulation of human rights functions at the same time shall be respected.

In electing members of the Advisory Committee, the Council should give due consideration to gender balance and appropriate representation of different civilizations and legal systems."

6/103. Mandate of the Special Rapporteur on the situation of human rights in the Sudan

At its 21st meeting, on 28 September 2007, the Human Rights Council decided, without a vote, to defer the decision pertaining to the review of the mandate of the Special Rapporteur on the situation of human rights in the Sudan to the second part of its sixth session, to be held in December 2007.

6/104. Prevention of genocide

At its 21st meeting, on 28 September 2007, the Human Rights Council decided, without a vote, to adopt the following:

> "*The Human Rights Council,*
>
> *Recalling* Commission on Human Rights resolution 2005/62 of 20 April 2005, as well as Council decision 2/102 of 6 October 2006,
>
> *Taking note* of the report of the Secretary-General on the implementation of the Five-Point Action Plan and the activities of the Special Adviser on the Prevention of Genocide (E/CN.4/2006/84), as well of new developments since the submission of the report,
>
> *Requests* the Secretary-General to make available to the Council at its seventh session an updated report, and invites the Special Adviser to address the Council at the same session on the progress made in discharging his duties."

6/105. Report of the Preparatory Committee on the Durban Review Conference

At its 22nd meeting, on 28 September 2007, the Human Rights Council decided, without a vote, to adopt the following:

> "Recalling its resolution 3/2 of 8 December 2006, the Human Rights Council invites the Preparatory Committee on the Durban Review Conference to submit its reports to the General Assembly."

6/106. Alliance of Civilizations

The Human Rights Council,

Welcoming the appointment of a High Representative for the Alliance of Civilizations by the Secretary-General in April 2007,

Recognizing the valuable efforts within the framework of the Alliance of Civilizations initiative towards the promotion of dialogue across cultures and civilizations,

Invites the High Representative for the Alliance of Civilizations, Jorge Sampaio, to address the Council at the High-level Segment of its seventh session on the ongoing activities within the framework of the Alliance and particularly on the outcome of its first annual forum and the level of progress achieved regarding the implementation plan for the period 2007-2009.

C. PRESIDENT'S STATEMENTS

PRST/6/1. Situation of human rights in Haiti

At the 21st meeting, on 28 September 2007, the President of the Council made a statement reading as follows:

> 1. The Human Rights Council welcomes the return to the rule of constitutional law in the Republic of Haiti, as evidenced by the election of the President of the Republic, the restoration of an elected Parliament, the appointment, endorsed by Parliament, of a Prime Minister, and the holding of municipal elections.
>
> 2. The Council commends the Haitian authorities on their commitment and efforts to improve living conditions for Haitians through measures such as greater regard for human rights and cooperation between the Haitian National Police and the United Nations Stabilization Mission in Haiti (MINUSTAH) in curbing violence.
>
> 3. The Council is nonetheless aware of the many challenges that Haiti is facing. It encourages the international community to continue supporting the efforts of the elected authorities, and encourages those authorities to make use of the resources and expertise placed at their disposal.
>
> 4. The Council takes note of the difficulties encountered and the efforts made by the Haitian authorities.
>
> 5. While still concerned at the persistent criminal activity in some parts of the country, the Council notes with satisfaction the steps taken to counter corruption and drug-trafficking. It welcomes current efforts to correct irregularities in the police and justice systems, and encourages the Haitian authorities to continue them, bringing to fruition their plans for stronger inspection units within the police and justice systems, regulations to govern the judiciary, the establishment of a High Council of the Judiciary and the reopening of the Judicial Training College, an end to prolonged detention and improved conditions in detention, the introduction of a legal aid scheme and better staffed forensic science and forensic medical services. It notes with satisfaction the proposal for a steady improvement in relations between the Office of Citizen Protection and the MINUSTAH Human Rights Section.
>
> 6. The Council also welcomes the Haitian authorities' plans to pass a series of laws on the status of women and reforms of the civil registry and land registry systems.
>
> 7. The Council encourages the international community to step up its activities in all these areas and in human rights training and education for the security forces.
>
> 8. The Council thanks the independent expert appointed by the Secretary-General to consider the human rights situation in Haiti for his report (A/HRC/4/3). It encourages the expert to continue his mission and report thereon to the Council at its eighth session. It encourages the Haitian authorities to continue to cooperate with the independent expert and put his recommendations into effect.

(*f*) To continue to provide his/her views, when appropriate, on the advantages and challenges of new information and communication technologies, including the Internet and mobile technologies, for the exercise of the right to freedom of opinion and expression, including the right to seek, receive and impart information and the relevance of a wide diversity of sources, as well as access to the information society for all;

5. *Calls upon* all States to cooperate fully with and assist the Special Rapporteur in the performance of his/her tasks, to provide all necessary information requested by him/her, to react promptly to his/her urgent appeals and other communications and to consider favourably his/her requests for visits and for implementing his/her recommendations so that he/she may carry out his/her mandate more effectively;

6. *Invites* the United Nations High Commissioner for Human Rights, relevant special procedures of the Council and the human rights treaty bodies to pay attention, within the framework of their mandates, to the situation of persons whose right to freedom of opinion and expression has been violated with a view to avoiding unnecessary duplication;

7. *Requests* the Secretary-General to provide the assistance necessary to the Special Rapporteur to fulfil his/her mandate effectively, in particular by placing adequate human and material resources at his/her disposal;

8. *Requests* the Special Rapporteur to submit each year to the Council a report covering activities relating to his/her mandate;

9. *Decides* to continue its consideration of the issue of the right to freedom of opinion and expression in accordance with its programme of work.

42nd meeting
28 March 2008

[Adopted by a recorded vote of 32 to none, with 15 abstentions. The voting was as follows:

In favour: Angola, Azerbaijan, Bangladesh, Bolivia, Brazil, Cameroon, China, Cuba, Djibouti, Egypt, Gabon, Ghana, India, Indonesia, Jordan, Madagascar, Malaysia, Mali, Mauritius, Mexico, Nicaragua, Nigeria, Pakistan, Peru, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Uruguay, Zambia.

Abstaining: Bosnia and Herzegovina, Canada, France, Germany, Guatemala, Italy, Japan, Netherlands, Philippines, Republic of Korea, Romania, Slovenia, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland.]

III. Eighth session

A. RESOLUTIONS

8/1. Conference facilities and financial support for the Human Rights Council

The Human Rights Council,

Bearing in mind General Assembly resolutions 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007,

Recalling Council decision 3/104 of 8 December 2006 on conference facilities and financial support for the Council and the report of the Secretary-General on its implementation (A/62/125),

1. *Reaffirms* the need to ensure the provision of necessary financial resources to the Council and its working groups in order to discharge its mandate fully, as stipulated in General Assembly resolution 60/251 and implemented by Council resolution 5/1;

2. *Expresses its concern* at the delays in the submission of documents to the Council, including those relating to the universal periodic review, and in particular the delays in the translation of documents into the six official languages of the United Nations, and in this context requests the Office of the United Nations High Commissioner for Human Rights and the Conference Services Division at the United Nations Office at Geneva to make an assessment of the situation and to report back to the Council at its ninth session with proposals for adequate measures, bearing in mind the necessity of maintaining financial efficiency, to address these problems;

3. *Reaffirms* that the Council will consider favourably the adoption of a decision on the webcasting of all public proceedings of its various working groups, taking into account the principles of transparency, equal treatment and non-selectivity and, in this context, requests the Department of Public Information of the United Nations Office at Geneva to make an assessment of the situation and to report back to the Council at its ninth session with proposals for adequate measures, including the necessary re sources to establish a permanent capacity for webcasting.

28th meeting
18 June 2008

[Adopted without a vote.]

8/2. Optional Protocol to the International Covenant on Economic, Social and Cultural Rights

The Human Rights Council,

Reaffirming the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, *Recalling* that, in the Vienna Declaration and Programme of Action adopted in June 1993 by the World Conference on Human Rights (A/CONF.157/24), the World Conference encouraged the Commission on Human Rights to continue the examination of optional protocols to the International Covenant on Economic, Social and Cultural Rights,

Recalling also that the Vienna Declaration and Programme of Action, the 2005 World Summit Outcome and General Assembly resolution 60/251 establishing the Human Rights Council all affirm that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing and must be treated in a fair and equal manner, on the same footing and with the same emphasis,

Bearing in mind previous resolutions of the Council and the Commission on Human Rights on the realization of economic, social and cultural rights, and in particular Council resolution 1/3 on the Open-ended Working Group on an optional protocol to the International Covenant on Economic, Social and Cultural Rights,

Welcoming the report of the Working Group (A/HRC/8/7) and the decision to transmit the draft optional protocol to the International Covenant on Economic, Social and Cultural Rights to the Council for its consideration,

1. *Adopts* the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights annexed to the present resolution;

2. *Recommends* that the General Assembly, in accordance with paragraph 5 (*c*) of its resolution 60/251, adopt the following draft resolution:

> "*The General Assembly*,
>
> *Welcoming* the adoption by the Human Rights Council, through its resolution ..., of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights,
>
> 1. *Adopts* and opens for signature, ratification and accession the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the text of which is annexed to the present resolution;
>
> 2. *Recommends* that the Optional Protocol be opened for signature at a signing ceremony in Geneva in March 2009 and requests the Secretary-General and the United Nations High Commissioner for Human Rights to provide the necessary assistance."

28th meeting
18 June 2008

[Adopted without a vote.]

Annex

OPTIONAL PROTOCOL TO THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Preamble

The States Parties to the present Protocol,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Noting that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that the Universal Declaration of Human Rights and the International Covenants on Human Rights recognize that the ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy civil, cultural, economic, political and social rights,

Reaffirming the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms,

Recalling that each State Party to the International Covenant on Economic, Social and Cultural Rights (hereinafter referred to as the Covenant) undertakes to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the Covenant by all appropriate means, including particularly the adoption of legislative measures,

Considering that, in order further to achieve the purposes of the Covenant and the implementation of its provisions, it would be appropriate to enable the Committee on Economic, Social and Cultural Rights (hereinafter referred to as the Committee) to carry out the functions provided for in the present Protocol,

Have agreed as follows:

Article 1

Competence of the Committee to receive and consider communications

1. A State Party to the Covenant that becomes a Party to the present Protocol recognizes the competence of the Committee to receive and consider communications as provided for by the provisions of the present Protocol.

2. No communication shall be received by the Committee if it concerns a State Party to the Covenant which is not a Party to the present Protocol.

Article 2

Communications

Communications may be submitted by or on behalf of individuals or groups of individuals, under the jurisdiction of a State Party, claiming to be victims of a violation of any of the economic, social and cultural rights set forth in the Covenant by that State Party. Where a communication is submitted on behalf of individuals or groups of individuals, this shall be with their consent unless the author can justify acting on their behalf without such consent.

Article 3

Admissibility

1. The Committee shall not consider a communication unless it has ascertained that all available domestic remedies have been exhausted. This shall not be the rule where the application of such remedies is unreasonably prolonged.

2. The Committee shall declare a communication inadmissible when:

(*a*) It is not submitted within one year after the exhaustion of domestic remedies, except in cases where the author can demonstrate that it had not been possible to submit the communication within that time limit;

(*b*) The facts that are the subject of the communication occurred prior to the entry into force of the present Protocol for the State Party concerned unless those facts continued after that date;

(*c*) The same matter has already been examined by the Committee or has been or is being examined under another procedure of international investigation or settlement;

(*d*) It is incompatible with the provisions of the Covenant;

(*e*) It is manifestly ill-founded, not sufficiently substantiated or exclusively based on reports disseminated by mass media;

(*f*) It is an abuse of the right to submit a communication; or when

(*g*) It is anonymous or not in writing.

Article 4

Communications not revealing a clear disadvantage

The Committee may, if necessary, decline to consider a communication where it does not reveal that the author has suffered a clear disadvantage, unless the Committee considers that the communication raises a serious issue of general importance.

Article 5

Interim measures

1. At any time after the receipt of a communication and before a determination on the merits has been reached, the Committee may transmit to the State Party concerned for its urgent consideration a request that the State Party take such interim measures as may be necessary in exceptional circumstances to avoid possible irreparable damage to the victim or victims of the alleged violations.

2. Where the Committee exercises its discretion under paragraph 1 of the present article, this does not imply a determination on admissibility or on the merits of the communication.

Article 6

Transmission of the communication

1. Unless the Committee considers a communication inadmissible without reference to the State Party concerned, the Committee shall bring any communication submitted to it under the present Protocol confidentially to the attention of the State Party concerned.

2. Within six months, the receiving State Party shall submit to the Committee written explanations or statements clarifying the matter and the remedy, if any, that may have been provided by that State Party.

Article 7

Friendly settlement

1. The Committee shall make available its good offices to the parties concerned with a view to reaching a friendly settlement of the matter on the basis of the respect for the obligations set forth in the Covenant.

2. An agreement on a friendly settlement closes consideration of the communication under the present Protocol.

Article 8

Examination of communications

1. The Committee shall examine communications received under article 2 of the present Protocol in the light of all documentation submitted to it, provided that this documentation is transmitted to the parties concerned.

2. The Committee shall hold closed meetings when examining communications under the present Protocol.

3. When examining a communication under the present Protocol, the Committee may consult, as appropriate, relevant documentation emanating from other United Nations bodies, specialized agencies, funds, programmes and mechanisms, and other international organizations, including from regional human rights systems, and any observations or comments by the State Party concerned.

4. When examining communications under the present Protocol, the Committee shall consider the reasonableness of the steps taken by the State Party in accordance with Part II of the Covenant. In doing so, the Committee shall bear in mind that the State Party may adopt a range of possible policy measures for the implementation of the rights set forth in the Covenant.

Article 9

Follow-up to the views of the Committee

1. After examining a communication, the Committee shall transmit its views on the communication, together with its recommendations, if any, to the parties concerned.

2. The State Party shall give due consideration to the views of the Committee, together with its recommendations, if any, and shall submit to the Committee, within six months, a written response, including information on any action taken in the light of the views and recommendations of the Committee.

3. The Committee may invite the State Party to submit further information about any measures the State Party has taken in response to its views or recommendations, if any, including as deemed appropriate by the Committee, in the State Party's subsequent reports under articles 16 and 17 of the Covenant.

Article 10

Inter-State communications

1. A State Party to the present Protocol may at any time declare under this article that it recognizes the competence of the Committee to receive and consider communications to the effect that a State Party claims that another State Party is not fulfilling its obligations under the Covenant. Communications under this article may be received and considered only if submitted by a State Party that has made a declaration recognizing in regard to itself the competence of the Committee. No communication shall be received by the Committee if it concerns a State Party which has not made such a declaration. Communications received under this article shall be dealt with in accordance with the following procedure:

(*a*) If a State Party to the present Protocol considers that another State Party is not fulfilling its obligations under the Covenant, it may, by written communication, bring the matter to the attention of that State Party. The State Party may also inform the Committee of the matter. Within three months after the receipt of the communication the receiving State shall afford the State that sent the communication an explanation, or any other statement in writing clarifying the matter which should include, to the extent possible and pertinent, reference to domestic procedures and remedies taken, pending or available in the matter;

(*b*) If the matter is not settled to the satisfaction of both States Parties concerned within six months after the receipt by the receiving State of the initial communication, either State shall have the right to refer the matter to the Committee, by notice given to the Committee and to the other State;

(*c*) The Committee shall deal with a matter referred to it only after it has ascertained that all available domestic remedies have been invoked and exhausted in the matter. This shall not be the rule where the application of the remedies is unreasonably prolonged;

(*d*) Subject to the provisions of subparagraph (*c*) of the present paragraph the Committee shall make available its good offices to the States Parties concerned with a view to a friendly solution of the matter on the basis of the respect for the obligations set forth in the Covenant;

(*e*) The Committee shall hold closed meetings when examining communications under the present article;

(*f*) In any matter referred to it in accordance with subparagraph (*b*) of the present paragraph, the Committee may call upon the States Parties concerned, referred to in subparagraph (*b*), to supply any relevant information;

(*g*) The States Parties concerned, referred to in subparagraph (*b*) of the present paragraph, shall have the right to be represented when the matter is being considered by the Committee and to make submissions orally and/or in writing;

(*h*) The Committee shall, with all due expediency after the date of receipt of notice under subparagraph (*b*) of the present paragraph, submit a report, as follows:

(i) If a solution within the terms of subparagraph (*d*) of the present paragraph is reached, the Committee shall confine its report to a brief statement of the facts and of the solution reached;

(ii) If a solution within the terms of subparagraph (*d*) is not reached, the Committee shall, in its report, set forth the relevant facts concerning the issue between the States Parties concerned. The written submissions and record of the oral submissions made by the States Parties concerned shall be attached to the report. The Committee may also communicate only to the States Parties concerned any views that it may consider relevant to the issue between them.

In every matter, the report shall be communicated to the States Parties concerned.

2. A declaration under paragraph 1 of the present article shall be deposited by the States Parties with the Secretary-General of the United Nations, who shall transmit copies thereof to the other States Parties. A declaration may be withdrawn at any time by notification to the Secretary-General. Such a withdrawal shall not prejudice the consideration of any matter that is the subject of a communication already transmitted under the present article; no further communication by any State Party shall be received under the present article after the notification of withdrawal of the declaration has been received by the Secretary-General, unless the State Party concerned has made a new declaration.

Article 11

Inquiry procedure

1. A State Party to the present Protocol may at any time declare that it recognizes the competence of the Committee provided for under this article.

2. If the Committee receives reliable information indicating grave or systematic violations by a State Party of any of the economic, social and cultural rights set forth in the Covenant, the Committee shall invite that State Party to cooperate in the examination of the information and to this end to submit observations with regard to the information concerned.

3. Taking into account any observations that may have been submitted by the State Party concerned as well as any other reliable information available to it, the Committee may designate one or more of its members to conduct an inquiry and to report urgently to the Committee. Where warranted and with the consent of the State Party, the inquiry may include a visit to its territory.

4. Such an inquiry shall be conducted confidentially and the cooperation of the State Party shall be sought at all stages of the proceedings.

5. After examining the findings of such an inquiry, the Committee shall transmit these findings to the State Party concerned together with any comments and recommendations.

6. The State Party concerned shall, within six months of receiving the findings, comments and recommendations transmitted by the Committee, submit its observations to the Committee.

7. After such proceedings have been completed with regard to an inquiry made in accordance with paragraph 2, the Committee may, after consultations with the State Party concerned, decide to include a summary account of the results of the proceedings in its annual report provided for in article 15.

8. Any State Party having made a declaration in accordance with paragraph 1 of the present article may, at any time, withdraw this declaration by notification to the Secretary-General.

Article 12

Follow-up to the inquiry procedure

1. The Committee may invite the State Party concerned to include in its report under articles 16 and 17 of the Covenant details of any measures taken in response to an inquiry conducted under article 11 of the present Protocol.

2. The Committee may, if necessary, after the end of the period of six months referred to in article 11, paragraph 6, invite the State Party concerned to inform it of the measures taken in response to such an inquiry.

Article 13

Protection measures

A State Party shall take all appropriate measures to ensure that individuals under its jurisdiction are not subjected to any form of ill-treatment or intimidation as a consequence of communicating with the Committee pursuant to the present Protocol.

Article 14

International assistance and cooperation

1. The Committee shall transmit, as it may consider appropriate, and with the consent of the State Party concerned, to United Nations specialized agencies, funds and programmes and other competent bodies, its views or recommendations concerning communications and inquiries that indicate a need for technical advice or assistance, along with the State Party's observations and suggestions, if any, on these views or recommendations.

2. The Committee may also bring to the attention of such bodies, with the consent of the State Party concerned, any matter arising out of communications considered under the present Protocol which may assist them in deciding, each within its field of competence, on the advisability of international measures likely to contribute to assisting States Parties in achieving progress in implementation of the rights recognized in the Covenant.

3. A trust fund shall be established in accordance with the relevant procedures of the General Assembly, to be administered in accordance with the financial regulations and rules of the United Nations, with a view to providing expert and technical assistance to States Parties, with the consent of the State Party concerned, for the enhanced implementation of the rights contained in the Covenant, thus contributing to building national capacities in the area of economic, social and cultural rights in the context of the present Protocol.

4. The provisions of this article are without prejudice to the obligations of each State Party to fulfil its obligations under the Covenant.

Article 15

Annual report

The Committee shall include in its annual report a summary of its activities under the present Protocol.

Article 16

Dissemination and information

Each State Party undertakes to make widely known and to disseminate the Covenant and the present Protocol and to facilitate access to information about the views and recommendations of the Committee, in particular, on matters involving that State Party, and to do so in accessible formats for persons with disabilities.

Article 17

Signature, ratification and accession

1. The present Protocol is open for signature by any State that has signed, ratified or acceded to the Covenant.

2. The present Protocol is subject to ratification by any State that has ratified or acceded to the Covenant. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

3. The present Protocol shall be open to accession by any State that has ratified or acceded to the Covenant.

4. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 18

Entry into force

1. The present Protocol shall enter into force three months after the date of the deposit with the Secretary-General of the United Nations of the tenth instrument of ratification or accession.

2. For each State ratifying or acceding to the present Protocol, after the deposit of the tenth instrument of ratification or accession, the protocol shall enter into force three months after the date of the deposit of its instrument of ratification or accession.

Article 19

Amendments

1. Any State Party may propose an amendment to the present Protocol and submit it to the Secretary-General of the United Nations. The Secretary-General shall communicate any proposed amendments to States Parties, with a request to be notified whether they favour a meeting of States Parties for the purpose of considering and deciding upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a meeting, the Secretary-General shall convene the meeting under the auspices of the

United Nations. Any amendment adopted by a majority of two thirds of the States Parties present and voting shall be submitted by the Secretary-General to the General Assembly for approval and thereafter to all States Parties for acceptance.

2. An amendment adopted and approved in accordance with paragraph 1 of this article shall enter into force on the thirtieth day after the number of instruments of acceptance deposited reaches two thirds of the number of States Parties at the date of adoption of the amendment. Thereafter, the amendment shall enter into force for any State Party on the thirtieth day following the deposit of its own instrument of acceptance. An amendment shall be binding only on those States Parties which have accepted it.

Article 20

Denunciation

1. Any State Party may denounce the present Protocol at any time by written notification addressed to the Secretary-General of the United Nations. Denunciation shall take effect six months after the date of receipt of the notification by the Secretary-General.

2. Denunciation shall be without prejudice to the continued application of the provisions of the present Protocol to any communication submitted under articles 2 and 10 or to any procedure initiated under article 11 before the effective date of denunciation.

Article 21

Notification by the Secretary-General

The Secretary-General of the United Nations shall notify all States referred to in article 26, paragraph 1 of the Covenant of the following particulars:

(*a*) Signatures, ratifications and accessions under the present Protocol;

(*b*) The date of entry into force of the present Protocol and of any amendment under article 19;

(*c*) Any denunciation under article 20.

Article 22

Official languages

1. The present Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Protocol to all States referred to in article 26 of the Covenant.

8/3. Mandate of the Special Rapporteur on extrajudicial, summary or arbitrary executions

The Human Rights Council,

Recalling the Universal Declaration of Human Rights, which guarantees the right to life, liberty and security of person, and the relevant provisions of the International Covenant on Civil and Political Rights, *Having regard* to the legal framework of the mandate of the Special Rapporteur on extrajudicial, summary or arbitrary executions, including the provisions contained in Commission on Human Rights resolution 1992/72 of 5 March 1992 and General Assembly resolution 47/136 of 18 December 1992,

Welcoming the universal ratification of the Geneva Conventions of 12 August 1949, which alongside human rights law provide an important framework of accountability in relation to extrajudicial, summary or arbitrary executions,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling Council resolutions 5/1 on institution-building of the Human Rights Council and 5/2 on the code of conduct for special procedures mandate-holders of the Council, of 18 June 2007, and stressing that the mandate-holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Mindful of all relevant General Assembly and Commission on Human Rights resolutions on extrajudicial, summary or arbitrary executions, in particular Commission resolution 2004/37 of 19 April 2004 and Assembly resolution 61/173 of 19 December 2006,

Acknowledging that extrajudicial, summary or arbitrary executions are crimes under the Rome Statute of the International Criminal Court,

Convinced of the need for effective action to combat and to eliminate the abhorrent practice of extrajudicial, summary or arbitrary executions, which represents a flagrant violation of the inherent right to life,

Dismayed that, in a number of countries, impunity, the negation of justice, continues to prevail and often remains the main cause of the continued occurrence of extrajudicial, summary or arbitrary executions,

1. *Strongly condemns once again* all extrajudicial, summary or arbitrary executions, in all their forms, that continue to take place throughout the world;

2. *Acknowledges* the importance of relevant special procedures of the Council, in particular the Special Rapporteur on extrajudicial, summary or arbitrary executions, in their key role as early warning mechanisms in preventing the crime of genocide, crimes against humanity and war crimes, and encourages the relevant special procedures, within their mandates, to cooperate towards this end;

3. *Demands* that all States ensure that the practice of extrajudicial, summary or arbitrary executions is brought to an end and that they take effective action to combat and eliminate the phenomenon in all its forms;

4. *Reiterates* the obligation of all States to conduct exhaustive and impartial investigations into all suspected cases of extrajudicial, summary or arbitrary executions, to identify and bring to justice those responsible, while ensuring the right of every person to a fair and public hearing by a competent, independent and impartial tribunal established by law, to grant adequate compensation within a reasonable time to the victims or their families and to

adopt all necessary measures, including legal and judicial measures, in order to bring an end to impunity and to prevent the recurrence of such executions, as stated in the Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions;

5. *Takes note* of the report of the Special Rapporteur on extrajudicial, summary or arbitrary executions (A/HRC/8/3), as well as the recommendations made in previous years, and invites States to give them due consideration;

6. *Commends* the important role the Special Rapporteur on extrajudicial, summary or arbitrary executions plays towards eliminating extrajudicial, summary or arbitrary executions and encourages the Special Rapporteur to continue, within the framework of his or her mandate, to collect information from all concerned, to respond effectively to information that comes before him or her, to follow up on communications and country visits and to seek the views and comments of Governments and to reflect them, as appropriate, in the elaboration of his or her reports;

7. *Requests* the Special Rapporteur, in carrying out his or her mandate:

(*a*) To continue to examine situations of extrajudicial, summary or arbitrary executions in all circumstances and for whatever reason, and to submit his or her findings on an annual basis, together with conclusions and recommendations, to the Council and the General Assembly, and to draw the attention of the Council to serious situations of extrajudicial, summary or arbitrary executions that warrant immediate attention or where early action might prevent further deterioration;

(*b*) To continue to draw the attention of the High Commissioner for Human Rights to serious situations of extrajudicial, summary or arbitrary executions that warrant immediate attention or where early action might prevent further deterioration;

(*c*) To respond effectively to information which comes before him or her, in particular when an extrajudicial, summary or arbitrary execution is imminent or threatened or when such an execution has occurred;

(*d*) To enhance further his or her dialogue with Governments, as well as to follow up on recommendations made in reports after visits to particular countries;

(*e*) To continue monitoring the implementation of existing international standards on safeguards and restrictions relating to the imposition of capital punishment, bearing in mind the comments made by the Human Rights Committee in its interpretation of article 6 of the International Covenant on Civil and Political Rights, as well as the Second Optional Protocol thereto;

(*f*) To apply a gender perspective in his or her work;

8. *Urges* States:

(*a*) To cooperate with and assist the Special Rapporteur in the performance of his or her task, to supply all necessary information requested by him or her and to react appropriately and expeditiously to his or her urgent appeals, and those Governments that have not yet responded to communications transmitted to them by the Special Rapporteur to answer without further delay;

(*b*) To give serious consideration to responding favourably to the Special Rapporteur's requests to visit their countries;

(*c*) To ensure appropriate follow-up to the recommendations and conclusions of the Special Rapporteur, including by providing information to the Special Rapporteur on the actions taken on those recommendations;

9. *Welcomes* the cooperation established between the Special Rapporteur and other United Nations mechanisms and procedures in the field of human rights, and encourages the Special Rapporteur to continue efforts in that regard;

10. *Requests* the Secretary-General to provide the Special Rapporteur with adequate human, financial and material resources in order to enable him or her to carry out the mandate effectively, including through country visits;

11. *Decides* to extend the mandate of the Special Rapporteur on extrajudicial, summary or arbitrary executions for three years;

12. *Also decides* to continue to consider this matter in conformity with its programme of work.

28th meeting
18 June 2008

[Adopted without a vote.]

8/4. The right to education

The Human Rights Council,

Reaffirming all previous resolutions of the Commission on Human Rights on the right to education, inter alia, resolution 2005/21 of 15 April 2005,

Recalling that everyone shall enjoy the human right to education, which is enshrined, inter alia, in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and other pertinent international instruments,

Recalling also that in the United Nations Millennium Declaration, it is resolved that children everywhere, boys and girls alike, will be able to complete a full course of primary schooling and that girls and boys will have equal access to all levels of education by 2015, and emphasizing the importance of realizing the right to education in attaining the Millennium Development Goals,

Affirming that the realization of the right to education, including for girls and persons belonging to vulnerable groups, contributes to the eradication of poverty and of racism, racial discrimination, xenophobia and related intolerance, *Deeply concerned* that some 72 million children, 57 per cent of whom are girls and 37 million of whom live in conflict-affected fragile States, are out of school, and that 774 million adults, 64 per cent of whom are women, still lack basic literacy skills, despite progress made in recent years towards achieving the goals of the Education for All initiative agreed upon at the World Education Forum, held in Dakar in April 2000,

Affirming that good governance and the rule of law will assist all States to promote and protect human rights, including the right to education,

Bearing in mind the need for adequate financial resources so that everyone can realize their right to education, and the importance in this regard of national resource mobilization, as well as international cooperation,

Recalling Council resolutions 5/1 on institution-building of the Human Rights Council and 5/2 on the code of conduct for special procedures mandate-holders of the Council of 18 June 2007, and stressing that the mandate-holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

1. *Welcomes* the work of the Special Rapporteur on the right to education and takes note of his reports on girls' right to education (E/CN.4/2006/45, as well as Add.1), on the right to education of persons with disabilities (A/HRC/4/29, as well as Add.1, 2 and 3) and on the right to education in emergency situations (A/HRC/8/10, as well as Add.1, 2, 3 and 4), and of the report of the Secretary-General on economic, social and cultural rights (A/HRC/7/58);

2. *Notes with interest* the work carried out by the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child in the promotion of the right to education, notably through the issuing of general comments and concluding observations and the holding of days of general discussion;

3. *Welcomes* the work undertaken by the Office of the United Nations High Commissioner for Human Rights in the promotion of the right to education at the country, regional and headquarters levels, including the development of a list of indicators on the right to education;

4. *Also welcomes* the contribution of the United Nations Children's Fund and that of the United Nations Educational, Scientific and Cultural Organization towards attaining the Millennium Development Goals of achieving universal primary education and eliminating gender disparity in education and the goals of the Education for All initiative agreed upon at the World Education Forum;

5. *Further welcomes* the establishment of the Education Cluster by the Inter-Agency Standing Committee in November 2006 as an important mechanism to assess and address, in a coordinated manner, educational needs in emergency situations, including by promoting the implementation of the minimum standards for education in emergencies developed by the Inter-Agency Network for Education in Emergencies, and calls on donors to support it financially;

6. *Welcomes* the proclamation by the General Assembly of the World Programme for Human Rights Education, which began on 1 January 2005, and the continued progress of the United Nations Literacy Decade launched on 13 February 2003;

7. *Urges* all States:

(*a*) To give full effect to the right to education and to guarantee that this right is recognized and exercised without discrimination of any kind;

(*b*) To take all appropriate measures to eliminate obstacles limiting effective access to education, notably by girls, including pregnant girls and young mothers, children living in poor communities and rural areas, children belonging to minority groups, indigenous children, migrant children, refugee children, internally displaced children, children affected by armed conflicts, children affected by natural disasters, children with disabilities, children affected by infectious diseases, including HIV/AIDS, sexually exploited children, children deprived of their liberty, children living in the street, working children and orphaned children;

(*c*) To ensure that primary education is compulsory, accessible and available free to all;

(*d*) To promote the renewal and expansion of basic formal education of good quality, which includes both early childhood care and education and primary education, using inclusive and innovative approaches, including regulations, to increase access and attendance for all;

(*e*) To recognize and promote lifelong learning for all, in both formal and informal settings and to support domestic literacy programmes, including vocational education components and non-formal education, in order to reach marginalized children, youth and adults, especially girls and women, and persons with disabilities, to ensure that they enjoy the right to education;

(*f*) To improve all aspects of the quality of education aimed at ensuring excellence of all persons so that recognized and measurable learning outcomes are achieved by all, especially in literacy, numeracy, essential life skills and human rights education;

(*g*) To emphasize the development of quality indicators and monitoring instruments, to consider undertaking or supporting studies on best practices for elaborating and implementing strategies for improving the quality of education and meeting the learning needs of all, to give appropriate priority to the collection of quantitative and qualitative data relating to disparities in education, including gender disparities and disparities affecting persons with disabilities, and to carry out surveys and build up a knowledge base in order to provide advice on the use of information and communication technologies in education;

(*h*) To improve school infrastructure, guarantee a safe school environment and promote school health, education on reproductive health issues and preventive education against HIV/AIDS and drug abuse;

(*i*) To reinforce the mainstreaming of human rights education, intercultural education and education for peace in educational activities, in order to strengthen respect for human rights and fundamental freedoms;

(*j*) To adopt effective measures to encourage regular attendance at school and reduce school dropout rates;

(*k*) To support the implementation of plans and programmes of action to ensure quality education and improved enrolment and retention rates for boys and girls and the elimination of gender discrimination and gender stereotypes in educational curricula and materials, as well as in the process of education;

(*l*) To adapt education, if necessary, in order to suit the specific needs of women, girls, teenagers and persons with disabilities;

(*m*) To enhance the status and working conditions of teachers, address shortages of qualified teachers, and promote the training of teachers so that they can respond to diversity in the classroom;

(*n*) To take all appropriate legislative, administrative, social and educational measures, in accordance with the best interest of the child, to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse in schools, and in this context to take measures to eliminate corporal punishment in schools, and to incorporate in their legislation appropriate sanctions for violations and the provision of redress and rehabilitation for victims;

(*o*) To take all measures to ensure an inclusive education system, inter alia for persons with disabilities and, in particular, to ensure that no child is prevented from receiving free primary education on account of his or her disability;

(*p*) To ensure that the right to education is respected in emergency situations and, in this regard, underlines the importance of this right being realized by States to the maximum of their available resources, and, where necessary, by international organizations, to the extent possible, and based, inter alia, on assessed need by the State concerned, as an integral part of their humanitarian response to emergency situations;

(*q*) To support the efforts of developing countries, in particular least developed countries, to give full effect to the right to education and achieve the Millennium Development Goals relating to education and the goals of the Education for All initiative agreed upon at the World Education Forum, including with enhanced resources of all types, namely financial and technical, through the Education for All fast-track initiative in support of country-led national education plans;

8. *Reaffirms* the importance of developing further the regular dialogue between the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, other partners that pursue the goals of the Dakar Framework for Action and the Special Rapporteur, with a view to integrating further the right to education into the operational activities of the United Nations system, invites them to pursue that dialogue and reiterates its invitation to the United Nations Children's Fund and the United Nations Educational, Scientific and Cultural Organization to submit to the Council information pertaining to their activities in promoting primary education, with specific reference to women and children, particularly girls, persons with disabilities and education in the context of emergency situations;

9. *Decides* to extend the mandate of the Special Rapporteur on the right to education for a period of three years:

(*a*) To gather, request, receive and exchange information from all relevant sources, including Governments, intergovernmental organizations, civil society, including non-governmental organizations, and other concerned stakeholders, on the realization of the right to education and on obstacles limiting effective access to education, and to make recommendations on appropriate measures to promote and protect the right to education;

(*b*) To intensify efforts aimed at identifying ways and means to overcome obstacles and difficulties in the realization of the right to education;

(*c*) To make recommendations that could contribute to the realization of the Millennium Development Goals, and in particular of development goals 2 and 3, and of the goals of the Education for All initiative agreed upon at the World Education Forum;

(*d*) To integrate a gender perspective throughout all of his work;

(*e*) To review the interdependence and interrelatedness of the right to education with other human rights;

(*f*) To cooperate with the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the International Labour Organization, the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees, other special rapporteurs, representatives, experts and members of working groups of the Human Rights Council, and other relevant United Nations bodies, including human rights treaty bodies, and regional organizations, as well as to pursue the dialogue with the World Bank;

(*g*) To report to the Council on a yearly basis, in accordance with the Council's programme of work, and to report yearly to the General Assembly on an interim basis;

10. *Requests* the Special Rapporteur to take fully into account, in the discharge of his mandate, all provisions of the present resolution;

11. *Requests* all States to continue cooperating with the Special Rapporteur with a view to facilitating his tasks in the discharge of his mandate, and to respond favourably to his requests for information and visits;

12. *Requests* the Secretary-General to provide the Special Rapporteur with all the assistance necessary for the execution of his mandate;

13. *Decides* to continue its consideration of the right to education under the same agenda item.

28th meeting
18 June 2008

[Adopted without a vote.]

8/5. Promotion of a democratic and equitable international order

The Human Rights Council,

Recalling all previous resolutions of the General Assembly and the Commission on Human Rights on this issue, in particular General Assembly resolution 61/160 of 19 December 2006 and the Commission on Human Rights resolution 2005/57 of 20 April 2005,

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

Affirming that the enhancement of international cooperation for the promotion of all human rights should continue in full conformity with the purposes and principles of the Charter of the United Nations and international law, as set forth in articles 1 and 2 of the Charter, and, inter alia, with full respect for sovereignty, territorial integrity, political independence, the non-use of force, or the threat of force, in international relations, and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Stressing that the responsibility for managing worldwide economic and social issues, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally, and that in this regard the central role must be played by the United Nations, as the most universal and representative organization in the world,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law at the national and international levels, pluralism, development, better standards of living and international solidarity,

Having listened to the peoples of the world and recognizing their aspirations to justice, to equality of opportunity for all and everyone, and to the enjoyment of their human rights, including the right to development, to live in peace and freedom and to equal participation without discrimination in economic, social, cultural, civil and political life,

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Affirms* that everyone and every people have the right to a democratic and equitable international order;

2. *Also affirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Further affirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(*a*) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

(*b*) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(*c*) The right of every human person and all peoples to development, as a universal and inalienable right and an integral part of fundamental human rights;

(*d*) The right of all peoples to peace;

(*e*) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, international solidarity and cooperation among all States;

(*f*) International solidarity, as a right of peoples and individuals;

(*g*) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principles of full and equal participation in their respective decision-making mechanisms;

(*h*) The right to equitable participation of all, without any discrimination, in domestic as well as global decision-making;

(*i*) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(*j*) The promotion of a free, just, effective and balanced international information and communication order, based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular correcting the inequalities in the flow of information to and from developing countries;

(*k*) The promotion of an inclusive global technology and knowledge society directed towards bridging the technology and knowledge divide, promoting a universal, equitable and non-discriminatory access to knowledge and technologies;

(*l*) Respect for cultural diversity and the cultural rights of everyone;

(*m*) The right of every person and all peoples to a healthy environment and to an enhanced international cooperation that respond effectively to the needs of assistance of national efforts of adaptation to climate change, particularly in developing countries, and that promote the fulfilment of international agreements in the field of mitigation;

(*n*) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in international economic, commercial and financial relations;

(*o*) The enjoyment by everyone of ownership of the common heritage of mankind in connection to a public right of access to culture;

(*p*) The shared responsibility of the nations of the world for managing worldwide economic and social issues as well as threats to international peace and security that should be exercised multilaterally;

4. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as respect for the universality of human rights, national and regional particularities and various historical, cultural and religious backgrounds, in the enhancement of international cooperation in the field of human rights;

5. *Urges* all actors on the international scene to build an international order based on inclusion, justice, peace, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

6. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of developing countries;

7. *Expresses its rejection* of unilateralism and stresses its commitment to multilateralism and multilaterally agreed solutions, in accordance with the Charter of the United Nations and international law, as the only reasonable method of addressing international problems;

8. *Recalls* the proclamation by the General Assembly of its determination to work urgently for the establishment of an international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries, and ensure steadily accelerating economic and social development and peace and justice for present and future generations;

9. *Reaffirms* that the international community should devise ways and means to remove current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting there from throughout the world;

10. *Urges* States to continue their efforts, through enhanced international cooperation, towards the establishment of a democratic and equitable international order;

11. *Requests* the human rights treaty bodies, the Office of the United Nations High Commissioner for Human Rights and the mechanisms of the Human Rights Council and the Human Rights Council Advisory Committee to pay due attention, within their respective mandates, to the present resolution and to make contributions towards its implementation;

12. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations and to disseminate it on the widest possible basis;

13. *Decides* to continue consideration of the matter under the same agenda item in accordance with the annual program of work.

28th meeting
18 June 2008

[Adopted by a recorded vote of 33 to 13 with 1 abstention:

In favour: Angola, Azerbaijan, Bangladesh, Bolivia, Brazil, Cameroon, China, Cuba, Djibouti, Egypt, Gabon, Guatemala, India, Indonesia, Jordan, Madagascar, Malaysia, Mali, Mauritius, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Uruguay, Zambia.

Against: Bosnia and Herzegovina, Canada, France, Germany, Italy, Japan, Netherlands, Republic of Korea, Romania, Slovenia, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland.

Abstaining: Ghana,[4] Mexico.]

8/6. Mandate of the Special Rapporteur on the independence of judges and lawyers

The Human Rights Council,

Guided by articles 7, 8, 9, 10 and 11 of the Universal Declaration of Human Rights and articles 2, 4, 9, 14 and 26 of the International Covenant on Civil and Political Rights, and bearing in mind the Vienna Declaration and Programme of Action,

Recalling the Basic Principles on the Independence of the Judiciary; the Basic Principles on the Role of Lawyers; the Guidelines on the Role of Prosecutors and the Bangalore Principles of Judicial Conduct,

Convinced that an independent and impartial judiciary, an independent legal profession and the integrity of the judicial system are essential prerequisites for the protection of human rights and for ensuring that there is no discrimination in the administration of justice,

Recalling all the previous resolutions and decisions of the Commission on Human Rights and the General Assembly on the independence of the judiciary and on the integrity of the judicial system,

Acknowledging the importance of the Special Rapporteur's ability to cooperate closely, within the framework of his or her mandate, with the Office of the United Nations High Commissioner for Human Rights in the fields of advisory services and technical cooperation, in an effort to guarantee the independence of judges and lawyers,

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[4] The representative of Ghana subsequently stated that her delegation had intended to vote in favour of the draft resolution.

Recognizing the importance of bar associations and professional associations of judges and non-governmental organizations in the defence of the principles of the independence of judges and lawyers,

Noting with concern the increasingly frequent attacks on the independence of judges, lawyers and court officials,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling Council resolutions 5/1 on institution-building of the Human Rights Council and 5/2 on the code of conduct for special procedures mandate-holders of the Council, of 18 June 2007, and stressing that the mandate-holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

1. *Commends* the Special Rapporteur on the independence of judges and lawyers for the important work undertaken in the discharge of his mandate;

2. *Decides* to extend the mandate of the Special Rapporteur for a period of three years, and requests the Special Rapporteur:

(*a*) To inquire into any substantial allegations transmitted to him or her and to report his or her conclusions and recommendations thereon;

(*b*) To identify and record not only attacks on the independence of the judiciary, lawyers and court officials but also progress achieved in protecting and enhancing their independence, and make concrete recommendations, including the provision of advisory services or technical assistance when they are requested by the State concerned;

(*c*) To identify ways and means to improve the judicial system, and make concrete recommendations thereon;

(*d*) To study, for the purpose of making proposals, important and topical questions of principle with a view to protecting and enhancing the independence of the judiciary and lawyers and court officials;

(*e*) To apply a gender perspective in his or her work;

(*f*) To continue to cooperate closely, while avoiding duplication, with relevant United Nations bodies, mandates and mechanisms and with regional organizations;

(*g*) To report regularly to the Council in accordance with its programme of work, and annually to the General Assembly;

3. *Urges* all Governments to cooperate with and assist the Special Rapporteur in the performance of his or her tasks, to provide all information and to respond to communications transmitted to them by the Special Rapporteur without undue delay;

4. *Calls upon* Governments to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries, and urges them to enter into a constructive dialogue with the Special Rapporteur with respect to the follow-up to and implementation of his or her recommendations so as to enable him or her to fulfil his or her mandate even more effectively;

5. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the assistance to the Special Rapporteur necessary for the effective fulfilment of his or her mandate;

6. *Decides* to continue consideration of this issue in accordance with its annual programme of work.

28th meeting
18 June 2008

[Adopted without a vote.]

8/7. Mandate of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises

The Human Rights Council,

Recalling Commission on Human Rights resolution 2005/69 of 20 April 2005 on the responsibilities of transnational corporations and related business enterprises with regard to human rights,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling Council resolutions 5/1 on institution-building of the Human Rights Council and 5/2 on the code of conduct for special procedures mandate-holders of the Council of 18 June 2007, and stressing that the mandate-holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

Stressing that the obligation and the primary responsibility to promote and protect human rights and fundamental freedoms lie with the State,

Emphasizing that transnational corporations and other business enterprises have a responsibility to respect human rights,

Recognizing that proper regulation, including through national legislation, of transnational corporations and other business enterprises, and their responsible operation can contribute to the promotion, protection and fulfilment of and respect for human rights and assist in channelling the benefits of business towards contributing to the enjoyment of human rights and fundamental freedoms, *Concerned* that weak national legislation and implementation cannot effectively mitigate the negative impact of globalization on vulnerable economies, fully realize the benefits of globalization or derive maximally the benefits of activities of transnational corporations and other business enterprises and that therefore efforts to bridge governance gaps at the national, regional and international levels are necessary,

1. *Welcomes* the reports of the Special Representative and in particular the identification, through the process of consultations, studies and analysis, of a framework based on three overarching principles of the State duty to protect all human rights from abuses by, or involving, transnational corporations and other business enterprises, the corporate responsibility to respect all human rights, and the need for access to effective remedies, including through appropriate judicial or non-judicial mechanisms;

2. *Recognizes* the need to operationalize this framework with a view to providing more effective protection to individuals and communities against human rights abuses by, or involving, transnational corporations and other business enterprises, and to contribute to the consolidation of existing relevant norms and standards and any future initiatives, such as a relevant, comprehensive international framework;

3. *Welcomes* the broad range of activities undertaken by the Special Representative in the fulfilment of his mandate, including in particular the comprehensive, transparent and inclusive consultations conducted with relevant and interested actors in all regions;

4. *Decides* to extend the mandate of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises for a period of three years, and requests the Special Representative:

(*a*) To provide views and concrete and practical recommendations on ways to strengthen the fulfilment of the duty of the State to protect all human rights from abuses by or involving transnational corporations and other business enterprises, including through international cooperation;

(*b*) To elaborate further on the scope and content of the corporate responsibility to respect all human rights and to provide concrete guidance to business and other stakeholders;

(*c*) To explore options and make recommendations, at the national, regional and international level, for enhancing access to effective remedies available to those whose human rights are impacted by corporate activities;

(*d*) To integrate a gender perspective throughout his work and to give special attention to persons belonging to vulnerable groups, in particular children;

(*e*) Identify, exchange and promote best practices and lessons learned on the issue of transnational corporations and other business enterprises, in coordination with the efforts of the human rights working group of the Global Compact;

(*f*) To work in close coordination with United Nations and other relevant international bodies, offices, departments and specialized agencies, and in particular with other special procedures of the Council;

(*g*) To promote the framework and to continue to consult on the issues covered by the mandate on an ongoing basis with all stakeholders, including States, national human rights institutions, international and regional organizations, transnational corporations and other business enterprises, and civil society, including academics, employers' organizations, workers' organizations, indigenous and other affected communities and non-governmental organizations, including through joint meetings;

(*h*) To report annually to the Council and the General Assembly;

5. *Encourages* all Governments, relevant United Nations agencies, funds and programmes, treaty bodies, civil society actors, including non-governmental organizations, as well as the private sector to cooperate fully with the Special Representative in the fulfilment of his mandate, inter alia, through the submission of comments and suggestions on the issues related to his mandate;

6. *Requests* the Office of the United Nations High Commissioner for Human Rights to organize, within the framework of the Council, a two-day consultation bringing together the Special Representative of the Secretary-General, States, business representatives and all relevant stakeholders, including non-governmental organizations and representatives of victims of corporate abuse, in order to discuss ways and means to operationalize the framework, and to submit a report on the meeting to the Council, in accordance with its programme of work;

7. *Invites* international and regional organizations to seek the views of the Special Representative when formulating or developing relevant policies and instruments;

8. *Requests* the Secretary-General and the High Commissioner for Human Rights to provide all the necessary assistance to the Special Representative for the effective fulfilment of his mandate;

9. *Decides* to continue consideration of this question in conformity with the annual programme of work of the Council.

28th meeting
18 June 2008

[Adopted without a vote.]

8/8. Torture and other cruel, inhuman or degrading treatment or punishment

The Human Rights Council,

Reaffirming that no one should be subjected to torture as defined in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, or other cruel, inhuman or degrading treatment or punishment, *Recalling* that freedom from torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right that must be protected under all circumstances, including in times of international and internal armed conflict or internal disturbance, and that the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is affirmed in the relevant international instruments,

Recalling also that the prohibition of torture has been recognized as a peremptory norm of international law,

Recalling further that a number of international, regional and domestic courts have held the prohibition of cruel, inhuman or degrading treatment or punishment to be customary international law,

Noting that, under the Geneva Conventions of 1949, torture and inhuman treatment are a grave breach and that, under the Statute of the International Criminal Tribunal for the Former Yugoslavia, the Statute of the International Criminal Tribunal for Rwanda and the Rome Statute of the International Criminal Court, acts of torture can constitute crimes against humanity and war crimes,

Acknowledging the adoption of the International Convention for the Protection of All Persons from Enforced Disappearances by the General Assembly in its resolution 61/177 of 20 December 2006, as well as Council resolution 7/26 on the International Convention for the Protection of All Persons from Enforced Disappearances, and recognizing that the entry into force of the Convention, as soon as possible, through its ratification by 20 States, and its implementation will make a significant contribution to the prevention of torture, including through prohibiting places of secret detention,

Commending the persistent efforts by civil society, in particular non-governmental organizations, to combat torture and to alleviate the suffering of victims of torture,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling its resolutions 5/1 on institution-building of the Human Rights Council and 5/2 on the code of conduct for special procedures mandate-holders of the Council of 18 June 2007, and stressing that the mandate-holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Recalling also all relevant resolutions of the General Assembly and the Economic and Social Council and reaffirming the Commission on Human Rights resolutions on the subject,

1. *Condemns* all forms of torture and other cruel, inhuman or degrading treatment or punishment, which are and shall remain prohibited at any time and in any place whatsoever and can thus never be justified, and calls upon all Governments to implement fully the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

2. *Condemns in particular* any action or attempt by States or public officials to legalize, authorize or acquiesce in torture under any circumstances, including on grounds of national security or through judicial decisions;

3. *Decides* to extend the mandate of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment for a further period of three years:

(*a*) To seek, receive, examine and act on information from Governments, intergovernmental organizations, civil society organizations, individuals and groups of individuals regarding issues and alleged cases concerning torture or other cruel, inhuman or degrading treatment or punishment;

(*b*) To conduct country visits with the consent or at the invitation of Governments;

(*c*) To study, in a comprehensive manner, trends, developments and challenges in relation to combating and preventing torture and other cruel, inhuman or degrading treatment or punishment, and to make recommendations and observations concerning appropriate measures to prevent and eradicate such practices;

(*d*) To identify, exchange and promote best practices on measures to prevent, punish and eradicate torture and other cruel, inhuman or degrading treatment or punishment;

(*e*) To integrate a gender perspective throughout the work of his or her mandate;

(*f*) To continue to cooperate with the Committee against Torture, the Subcommittee for the Prevention of Torture and relevant United Nations mechanisms and bodies and, as appropriate, regional organizations and mechanisms, national human rights institutions, national preventive mechanisms and civil society, including non-governmental organizations;

(*g*) To report on his or her activities, observations, conclusions and recommendations to the Council, in accordance with its programme of work, and annually on the overall trends and developments with regard to his or her mandate to the General Assembly;

4. *Welcomes* the report of the Special Rapporteur (A/HRC/7/3) and the recommendations contained therein;

5. *Urges* States:

(*a*) To cooperate with and assist the Special Rapporteur in the performance of his or her task, to supply all necessary information requested by him or her and to react appropriately and expeditiously to his or her urgent appeals, and those Governments that have not yet responded to communications transmitted to them by the Special Rapporteur to answer without further delay;

(*b*) To give serious consideration to responding favourably to the Special Rapporteur's requests to visit their countries;

(*c*) To ensure appropriate follow-up to the recommendations and conclusions of the Special Rapporteur;

6. *Also urges* States:

(*a*) To implement effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment, particularly in places of detention and other places where persons are deprived of their liberty, including education and training for personnel, who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment;

(*b*) To take persistent, determined and effective measures to have all allegations of torture or other cruel, inhuman or degrading treatment or punishment promptly and impartially examined by the competent national authority, to hold persons who encourage, order, tolerate or perpetrate acts of torture responsible, to have them brought to justice and severely punished, including the officials in charge of the place of detention where the prohibited act is found to have been committed, and to take note, in this respect, of the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Protocol) as a useful tool in efforts to combat torture;

(*c*) To ensure that no statement established to have been made as a result of torture is invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made;

(*d*) Not to expel, return ("refouler"), extradite or in any other way transfer a person to another State where there are substantial grounds for believing that the person would be in danger of being subjected to torture; the Council recognizes in this respect that diplomatic assurances, where used, do not release States from their obligations under international human rights, humanitarian and refugee law, in particular the principle of non-refoulement;

(*e*) To ensure that victims of torture or other cruel, inhuman or degrading treatment or punishment obtain redress and are awarded fair and adequate compensation and receive appropriate socio-medical rehabilitation, and in this regard encourages the development of rehabilitation centres for victims of torture;

(*f*) To ensure that all acts of torture are offences under domestic criminal law, and emphasizes that acts of torture are serious violations of international human rights law and humanitarian law and can constitute crimes against humanity and war crimes and that the perpetrators are liable to prosecution and punishment;

(*g*) Not to punish personnel for not obeying orders to commit acts amounting to torture or other cruel, inhuman or degrading treatment or punishment;

(*h*) To protect medical and other personnel for their role in documenting torture or any other form of cruel, inhuman or degrading treatment or punishment and in treating victims of such acts;

(*i*) To ensure appropriate follow-up to conclusions and views on individual communications of the relevant treaty bodies, including the Committee against Torture and the Subcommittee on the Prevention of Torture;

(*j*) To adopt a gender-sensitive approach in the fight against torture and other cruel, inhuman or degrading treatment or punishment, paying special attention to violence against women;

(*k*) To become parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as a matter of priority as well as to give early consideration to signing and ratifying its Optional Protocol and, once parties, to designate or establish truly independent and effective national preventive mechanisms;

7. *Reminds* States that:

(*a*) Corporal punishment, including of children, can amount to cruel, inhuman or degrading punishment or even to torture;

(*b*) Intimidation and coercion, as described in article 1 of the Convention against Torture, including serious and credible threats, as well as death threats, to the physical integrity of the victim or of a third person, can amount to cruel, inhuman or degrading treatment or to torture;

(*c*) Prolonged incommunicado detention or detention in secret places may facilitate the perpetration of torture and other cruel, inhuman or degrading treatment or punishment and can in itself constitute a form of such treatment, and urges all States to respect the safeguards concerning the liberty, security and the dignity of the person;

8. *Welcomes* the reports of the Committee against Torture, submitted in accordance with article 24 of the Convention;

9. *Takes note* of the reports of the Secretary-General on the United Nations Voluntary Fund for Victims of Torture and calls upon the Board of the Fund to report to the Council in accordance with the annual programme of work;

10. *Requests* the Secretary-General to ensure, within the overall budgetary framework of the United Nations, the provision of an adequate and stable level of staffing, as well as the necessary technical facilities for the bodies and mechanisms involved in combating torture and assisting victims of torture, in order to ensure their effective performance commensurate with the strong support expressed by Member States for combating torture and assisting victims of torture;

11. *Recognizes* the global need for international assistance to victims of torture, stresses the importance of the work of the Board of Trustees of the Fund and appeals to all Governments, organizations and individuals to contribute annually to the Fund, preferably with a substantial increase in the contributions, and encourages contributions to the Special Fund established by the Optional Protocol to the Convention to help finance the implementation of the recommendations made by the Subcommittee on Prevention, as well as education programmes of national preventive mechanisms;

12. *Calls upon* all Governments, the United Nations High Commissioner for Human Rights and United Nations bodies and agencies, as well as relevant intergovernmental and non-governmental organizations, to commemorate, on 26 June, the United Nations International Day in Support of Victims of Torture, as proclaimed by the General Assembly in its resolution 52/149 of 12 December 1997;

13. *Decides* to continue to consider this matter in conformity with its annual programme of work.

28th meeting
18 June 2008

[Adopted without a vote.]

8/9. Promotion of the right of peoples to peace

The Human Rights Council,

Recalling all previous resolutions on this issue adopted by the General Assembly and the Commission on Human Rights,

Noting General Assembly resolution 39/11 of 12 November 1984, entitled "Declaration of the Right of Peoples to Peace", and the United Nations Millennium Declaration,

Determined to foster strict respect for the purposes and principles enshrined in the Charter of the United Nations,

Bearing in mind that one of the purposes of the United Nations is to achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and to promote and encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Underlining, in accordance with the purposes and principles of the United Nations, its full and active support for the United Nations and for the enhancement of its role and effectiveness in strengthening international peace, security and justice and in promoting the solution of international problems, as well as the development of friendly relations and cooperation among States,

Reaffirming the obligation of all States to settle their international disputes by peaceful means in such a manner that international peace, security and justice are not endangered,

Emphasizing its objective of promoting better relations among all States and contributing to setting up conditions in which their people can live in true and lasting peace, free from any threat to or attempt against their security,

Reaffirming the obligation of all States to refrain, in their international relations, from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations, *Reaffirming also* its commitment to peace, security and justice and the continuing development of friendly relations and cooperation among States,

Rejecting the use of violence in pursuit of political aims and stressing that only peaceful political solutions can assure a stable and democratic future for all peoples around the world,

Reaffirming the importance of ensuring respect for the principles of sovereignty, territorial integrity and political independence of States and non-intervention in matters which are essentially within the domestic jurisdiction of any State, in accordance with the Charter and international law,

Reaffirming also that all peoples have the right to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development,

Reaffirming further the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Recognizing that peace and development are mutually reinforcing, including in the prevention of armed conflict,

Affirming that human rights include social, economic and cultural rights and the right to peace, a healthy environment and development, and that development is, in fact, the realization of these rights,

Underlining that the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental rights, is contrary to the Charter and is an impediment to the promotion of world peace and cooperation,

Recalling that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

Convinced of the aim of creating conditions of stability and well-being, which are necessary for peaceful and friendly relations among nations based on respect for the principle of the equal rights and self-determination of peoples,

Convinced also that life without war is the primary international prerequisite for the material well-being, development and progress of countries and for the full implementation of the rights and fundamental human freedoms proclaimed by the United Nations,

Convinced further that international cooperation in the field of human rights contributes to creating an international environment of peace and stability,

1. *Reaffirms* that the peoples of our planet have a sacred right to peace;

2. *Also reaffirms* that the preservation of the right of peoples to peace and the promotion of its implementation constitute a fundamental obligation of each State;

3. *Stresses* that peace is a vital requirement for the promotion and protection of all human rights for all;

4. *Also stresses* that the deep fault line that divides human society, between the rich and the poor, and the ever-increasing gap between the developed and developing worlds pose a major threat to global prosperity, peace, security and stability;

5. *Emphasizes* that ensuring the exercise of the right of peoples to peace and its promotion demand that the policies of States be directed towards the elimination of the threat of war, particularly nuclear war, the renunciation of the use or threat of use of force in international relations and the settlement of international disputes by peaceful means on the basis of the Charter of the United Nations;

6. *Affirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and an international system based on respect of the principles enshrined in the Charter of the United Nations and the promotion of all human rights and fundamental freedoms, including the right to development and the right of peoples to self-determination;

7. *Urges* all States to respect and to put into practice the principles and purposes of the Charter in their relations with all other States, irrespective of their political, economic or social systems, or of their size, geographical location or level of economic development;

8. *Reaffirms* the duty of all States, in accordance with the principles of the Charter, to use peaceful means to settle any dispute to which they are parties and the continuance of which is likely to endanger the maintenance of international peace and security, and encourages States to settle their disputes as early as possible, as a vital requirement for the promotion and protection of all human rights of everyone and all peoples;

9. *Underlines* the vital importance of education for peace as a tool to foster the realization of the right of peoples to peace, and encourages States, United Nations specialized agencies and intergovernmental and non-governmental organizations to contribute actively to this endeavour;

10. *Requests* the United Nations High Commissioner for Human Rights to convene, before April 2009, and taking into account previous practices, a three-day workshop on the right of peoples to peace, with the participation of two experts from countries of each of the five regional groups, in order:

(*a*) To further clarify the content and scope of this right;

(*b*) To propose measures that raise awareness of the importance of realizing this right;

(*c*) To suggest concrete actions to mobilize States, intergovernmental and non-governmental organizations in the promotion of the right of peoples to peace;

11. *Also requests* the High Commissioner for Human Rights:

(*a*) To select as soon as possible those 10 experts, through consultations with States and relevant stakeholders;

(*b*) To timely extend an invitation to those experts in order to attend the workshop and actively participate in it, including by presenting discussion papers on the subjects identified in paragraph 10 above;

(*c*) To report on the outcome of the workshop to the Council at its eleventh session, to be held in June 2009;

12. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

13. *Decides* to continue considering the issue at its eleventh session under the same agenda item.

28th meeting
18 June 2008

[Adopted by a recorded vote of 32 to 13, with 2 abstentions. The voting was as follows:

In favour: Angola, Azerbaijan, Bangladesh, Bolivia, Brazil, Cameroon, China, Cuba, Djibouti, Egypt, Gabon, Ghana, Guatemala, Indonesia, Jordan, Madagascar, Malaysia, Mali, Mauritius, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Uruguay, Zambia.

Against: Bosnia and Herzegovina, Canada, France, Germany, Italy, Japan, Netherlands, Republic of Korea, Romania, Slovenia, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland.

Abstaining: India, Mexico.]

8/10. Human rights of migrants: mandate of the Special Rapporteur on the human rights of migrants

The Human Rights Council,

Reaffirming the Universal Declaration of Human Rights, which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin,

Recalling all international norms and standards relevant to the human rights of migrants,

Recalling also Commission on Human Rights resolutions 1999/44 of 27 April 1999, 2002/62 of 25 April 2002 and 2005/47 of 19 April 2007, and General Assembly resolutions on the human rights of migrants,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006, *Recalling* Council resolutions 5/1 on institution-building of the Human Rights Council and 5/2 on the code of conduct for special procedures mandate-holders of the Council of 18 June 2007, and stressing that the mandate-holder will discharge his/her duties in accordance with these resolutions and the annexes thereto,

Resolved to ensure respect for the human rights and fundamental freedoms of all migrants,

1. *Decides* to extend for a period of three years the mandate of the Special Rapporteur on the human rights of migrants, with the following functions:

(*a*) To examine ways and means to overcome the obstacles existing to the full and effective protection of the human rights of migrants, recognizing the particular vulnerability of women, children and those undocumented or in an irregular situation;

(*b*) To request and receive information from all relevant sources, including migrants themselves, on violations of the human rights of migrants and their families;

(*c*) To formulate appropriate recommendations to prevent and remedy violations of the human rights of migrants, wherever they may occur;

(*d*) To promote the effective application of relevant international norms and standards on the issue;

(*e*) To recommend actions and measures applicable at the national, regional and international levels to eliminate violations of the human rights of migrants;

(*f*) To take into account a gender perspective when requesting and analyzing information, and to give special attention to the occurrence of multiple discrimination and violence against migrant women;

(*g*) To give particular emphasis to recommendations on practical solutions with regard to the implementation of the rights relevant to the mandate, including by identifying best practices and concrete areas and means for international cooperation;

(*h*) To report regularly to the Council, according to its annual programme of work, and to the General Assembly, at the request of the Council or the Assembly;

2. *Requests* the Special Rapporteur, in carrying out his or her mandate, to take into consideration relevant human rights instruments of the United Nations to promote and protect the human rights of migrants;

3. *Also requests* the Special Rapporteur, in carrying out this mandate, to request, receive and exchange information on violations of the human rights of migrants from Governments, treaty bodies, specialized agencies, special rapporteurs for various human rights questions and from intergovernmental organizations, other competent organizations of the United Nations system and non-governmental organizations, including migrants' organizations, and to respond effectively to such information;

4. *Further requests* the Special Rapporteur, as part of his or her activities, to continue his or her programme of visits, which contribute to improving the protection afforded to the human rights of migrants and to the broad and full implementation of all the aspects of his or her mandate;

5. *Requests* the Special Rapporteur, in carrying out his or her mandate, to take into account bilateral and regional negotiations that aim at addressing, inter alia, the return and reinsertion of migrants who are undocumented or in an irregular situation;

6. *Encourages* Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable him or her to fulfil the mandate effectively;

7. *Also encourages* Governments to also cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, to furnish all information requested, to consider the implementation of the recommendations contained in the reports of the Special Rapporteur, and to react promptly to his or her urgent appeals;

8. *Requests* all relevant mechanisms to cooperate with the Special Rapporteur;

9. *Requests* the Secretary-General to give the Special Rapporteur all necessary human and financial assistance for the fulfilment of his or her mandate.

28th meeting
18 June 2008

[Adopted without a vote.]

8/11. Human rights and extreme poverty

The Human Rights Council,

Recalling that, in accordance with the Universal Declaration of Human Rights and the international covenants on human rights, the ideal of free human beings enjoying freedom from fear and want can be achieved only if conditions are created whereby everyone may enjoy his or her economic, social and cultural rights, as well as his or her civil and political rights,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling its resolutions 5/1 on institution-building of the Human Rights Council and 5/2 on a code of conduct for special procedures mandate-holders of the Council of 18 June 2007, and stressing that the mandate-holder shall discharge his or her duties in accordance with these resolutions and their annexes thereto,

Recalling also all previous resolutions on the issue of human rights and extreme poverty adapted by the General Assembly and the Commission on Human Rights, as well as its own relevant resolutions including Council resolutions 2/2 and 7/27, *Recalling further* the United Nations Millennium Declaration, adopted by Heads of State and Government on the occasion of the Millennium Summit, and their commitment to eradicate extreme poverty and to halve, by 2015, the proportion of the world's people whose income is less than one dollar a day and of those suffer from hunger,

Recalling that, in its resolution 62/205 of 19 December 2007, the General Assembly proclaimed the Second United Nations Decade for the Eradication of Poverty (2008-2017), in order to support, in a efficient and coordinated manner, the internationally agreed development goals related to poverty eradication, including the Millennium Development goals,

Bearing in mind the resolutions of the General Assembly on human rights and extreme poverty, and the importance they attach to giving persons living in extreme poverty the wherewithal to organize and participate in all aspects of political, economic and social life,

Deeply concerned that extreme poverty persists in all countries of the world, regardless of their economic, social and cultural situation, and that its extent and manifestations are particularly severe in developing countries,

Concerned at the insufficient progress notwithstanding the priority and urgency given by the Heads of State and Government to the eradication of poverty, as expressed in the outcomes of the major United Nations conferences and summits in the economic and social fields,

Reaffirming that the fight against extreme poverty must remain a high priority for the international community,

Stressing the need to better understand the causes and consequences of extreme poverty,

Stressing also that respect for all human rights, which are universal, indivisible and interdependent and interrelated, is of crucial importance for all policies and programs to fight extreme poverty at the local and national levels,

Expressing its gratitude to the former independent expert on the question of human rights and extreme poverty for the important work accomplished in the discharge of his mandate, and conscious of the necessity to continue this work,

1. *Acknowledges* the report of the Independent Expert on extreme poverty (A/HRC/7/15), and takes note of his proposed to define extreme poverty as the combination of income poverty, human development poverty and social exclusion;

2. *Decides* to extend the mandate of the independent expert on extreme poverty for a period of three years, in order to, inter alia:

(*a*) Further examine the relationship between the enjoyment of human rights and extreme poverty;

(*b*) Identify alternative approaches to the removal of all obstacles, including institutional ones, at the regional, national and international, public, corporate and societal levels, to the full enjoyment of human rights for all people living in extreme poverty;

(*c*) Identify, including in cooperation with international financial organizations, the most efficient measures taken at the national, regional and international levels to promote the full enjoyment of human rights of persons living in extreme poverty;

(*d*) Make recommendations on how people living in extreme poverty can participate in the process towards the full enjoyment of their human rights and the sustainable improvement of their quality of life, including through empowerment and resource mobilization at all levels;

(*e*) Develop cooperation with other United Nations bodies dealing with human rights and that are also active in the fight against extreme poverty;

(*f*) Participate in the assessment of the implementation of the Second United Nations Decade for the Eradication of Poverty, the internationally agreed goals contained in the Millennium Declaration, the Monterrey Consensus (A/CONF. 198/11, chap. I, resolution 1, annex), adopted by the International Conference on Financing for Development in March 2002, and the Plan of Implementation of the World Summit on Sustainable Development;

(*g*) Work on the impact of discrimination on extreme poverty, bearing in mind the Durban Declaration and Programme of Action adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

(*h*) Pay particular attention to the situation and empowerment of women in extreme poverty, applying a gender perspective in his or her work;

(*i*) Pay particular attention to children living in extreme poverty, as well as to the most vulnerable groups, including persons with disabilities who live in extreme poverty;

(*j*) Submit recommendations that could contribute to the realization of Millennium Development Goals, and in particular of goal 1, which consists in the halving by 2015 the proportion of people whose income is less than one dollar a day and the proportion of people who suffer from hunger, taking into account the role of international assistance and cooperation in reinforcing national actions to reduce extreme poverty;

(*k*) Continue participating in and contributing to relevant international conferences and events with the aim of promoting the reduction of extreme poverty;

3. *Requests* the Office of the United Nations High Commissioner for Human Rights to give high priority to the question of the relationship between extreme poverty and human rights and invites it to pursue further work in this area, integrating and cooperating fully with the Independent Expert in the various activities, notably the Social Forum and the consultation on the draft guiding principles on extreme poverty, and to provide all necessary human and financial resources for the effective fulfilment of the mandate of the independent expert;

4. *Requests* the independent expert to submit an annual report on the implementation of the present resolution to the General Assembly and to the Council, in accordance with their programme of work;

5. *Calls upon* all Governments to cooperate with and assist the independent expert in his or her task, to supply all necessary information requested by him or her and to give serious consideration to responding favourably to the requests of the independent expert to visit their countries, to enable him or her to fulfil his or her mandate effectively;

6. *Invites* relevant United Nations agencies, funds and programmes, treaty bodies and civil society actors, including non-governmental organizations, as well as the private sector, to cooperate fully with the independent expert in the fulfilment of his or her mandate;

7. *Decides* to continue its consideration of the question of human rights and extreme poverty, in accordance with its programme of work.

28th meeting
18 June 2008

[Adopted without a vote.]

8/12. Special Rapporteur on trafficking in persons, especially women and children

The Human Rights Council,

Reaffirming all previous resolutions on the problem of trafficking in persons, especially women and children, in particular General Assembly resolutions 61/144 and 61/180, and also decision 2004/110 of 19 April 2004 of the Commission on Human Rights establishing the mandate of the Special Rapporteur,

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling its resolutions 5/1 on institution-building of the Human Rights Council and 5/2 on a code of conduct for special procedures mandate-holders of the Council of 18 June 2007, and stressing that the mandate-holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

Recalling also the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,

Reaffirming the principles set forth in relevant human rights instruments and declarations, including the Convention on the Rights of the Child and the Optional Protocol thereto on the sale of children, child prostitution and child pornography, the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto,

Recalling the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, the United Nations Convention against Transnational Organized Crime and the Protocols thereto, and reaffirming in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention, *Recalling also* the resolve of the heads of State and Government expressed in the United Nations Millennium Declaration to intensify efforts to fight transnational organized crime in all its dimensions, including trafficking in human beings,

Taking note of the Vienna Forum against Trafficking in Persons in the framework of the United Nations Global Initiative to Fight Human Trafficking, held from 13 to 15 February 2008, and of the thematic debate on the issue of trafficking in persons in the framework of the General Assembly on 3 June 2008,

Recognizing that victims of trafficking are particularly exposed to racism, racial discrimination, xenophobia and related intolerance and that women and girl victims are often subject to multiple forms of discrimination and violence, including on the grounds of their gender, age, ethnicity, culture and religion, as well as their origins, and that these forms of discrimination themselves may fuel trafficking in persons,

Recognizing also that trafficking in persons violates human rights and impairs the enjoyment of human rights, continues to pose a serious challenge to humanity and requires a concerted international assessment and response and genuine multilateral cooperation among countries of origin, transit and destination in order to be eradicated,

1. *Expresses concern* at:

(*a*) The high number of persons, especially women and children, in particular from developing countries and countries with economies in transition, who are being trafficked to developed countries, as well as within and between regions and States;

(*b*) The increasing activities of transnational and national organized crime and others that profit from trafficking in persons, especially women and children, without regard for dangerous and inhumane conditions and in flagrant violation of domestic laws and international standards;

(*c*) The use of new information technologies, including the Internet, for the purposes of exploitation of the prostitution of others and for child pornography, paedophilia and any other form of sexual exploitation of children, as well as for trafficking in women as brides and for sex tourism;

(*d*) The high level of impunity enjoyed by traffickers and their accomplices and the denial of rights and justice to victims of trafficking;

2. *Urges* Governments:

(*a*) To take appropriate measures to address the root factors, including external factors, that encourage trafficking in persons for prostitution and other forms of commercialized sex, forced marriages and forced labour, slavery or practices similar to slavery, servitude or the removal of organs, including by strengthening existing legislation or by considering the enactment of anti-trafficking legislation and the adoption of national plans of action with a view to providing better protection for victims of trafficking and to punishing perpetrators through criminal and civil measures;

(*b*) To criminalize trafficking in persons in all its forms and to condemn and penalize traffickers, facilitators and intermediaries, including, where applicable, by imposing sanctions against legal entities involved in the process of trafficking, without making accusations by, or the participation of, the victims of trafficking a precondition for the prosecution of trafficking;

(*c*) To ensure protection and assistance to the victims of trafficking with full respect for their human rights;

(*d*) To actively promote the rehabilitation of victims of trafficking by providing them with access to adequate physical and psychological care and services, including those related to HIV/AIDS, as well as shelter, legal assistance and help lines;

(*e*) To take all appropriate measures to ensure that victims of trafficking are not penalized for being trafficked and that they do not suffer from revictimization as a result of actions taken by Government authorities, bearing in mind that they are victims of exploitation;

(*f*) To adopt or strengthen legislative or other measures to discourage the demand that fosters all forms of exploitation of persons and leads to trafficking in persons;

(*g*) To establish mechanisms, where appropriate, in cooperation with the international community, to combat the use of the Internet to facilitate trafficking in persons and crimes related to sexual or other forms of exploitation and to strengthen international cooperation to investigate and prosecute trafficking facilitated by the use of the Internet;

(*h*) To provide or strengthen training for law enforcement, immigration, criminal justice and other relevant officials, including personnel participating in peacekeeping operations, in preventing and responding effectively to trafficking in persons, including the identification of victims with full respect for their human rights;

(*i*) To conduct information campaigns for the general public, including children, aimed at promoting awareness of the dangers associated with all forms of trafficking and encouraging the public, including the victims of trafficking themselves, to report on instances of trafficking;

(*j*) To cooperate with each other and with relevant intergovernmental and non-governmental organizations to ensure the effective countering of trafficking in persons;

(*k*) To enhance information-sharing and data-collection capacities as a way of promoting cooperation to combat trafficking in persons, including through the systematic collection of sex- and age-disaggregated data;

(*l*) To consider strengthening existing regional mechanisms aimed at combating trafficking in persons or to establish such mechanisms where they do not exist;

(*m*) To consider signing and ratifying and States parties to implement relevant United Nations legal instruments, such as the United Nations Convention against Transnational Organized Crime and the Protocols thereto, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention;

3. *Takes note* of the work undertaken by the Special Rapporteur on trafficking in persons, especially women and children;

4. *Decides* to extend the mandate of the Special Rapporteur on trafficking in persons, especially women and children, for a period of three years, in order to, inter alia:

(*a*) Promote the prevention of trafficking in persons in all its forms and the adoption of measures to uphold and protect the human rights of victims;

(*b*) Promote the effective application of relevant international norms and standards and to contribute to the further improvement of them;

(*c*) Integrate a gender and age perspective throughout the work of his or her mandate, inter alia through the identification of gender- and age-specific vulnerabilities in relation to the issue of trafficking in persons;

(*d*) Identify and share best practices as well as challenges and obstacles in order to uphold and protect the human rights of the victims and to identify protection gaps in this regard;

(*e*) Give particular emphasis to recommendations on practical solutions with regard to the implementation of the rights relevant to the mandate, including by the identification of concrete areas and means for international cooperation to tackle the issue of trafficking in persons;

(*f*) Request, receive and exchange information on trafficking in persons from Governments, treaty bodies, special procedures, specialized agencies, intergovernmental organizations and non-governmental organizations and other relevant sources, as appropriate, and, in accordance with current practice, respond effectively to reliable information on alleged human rights violations with a view to protecting the human rights of actual or potential victims of trafficking;

(*g*) Work in close cooperation, while avoiding unnecessary duplication, with other special procedures and subsidiary organs of the Council, relevant United Nations bodies and mechanisms, including the Inter-agency Coordination Group on Trafficking in Persons, the treaty bodies and regional human rights mechanisms, as well as national human rights institutions and civil society and the private sector;

(*h*) Report annually, starting in 2009, on the implementation of the present resolution to the Council and the General Assembly, according to their respective programmes of work;

5. *Requests* the United Nations High Commissioner for Human Rights to ensure that the Special Rapporteur receives the resources necessary to enable him or her to discharge the mandate fully;

6. *Requests* the Office of the United Nations High Commissioner for Human Rights to submit to the Council, at its ninth session, a report on the latest developments in the United Nations relating to combating trafficking in persons as well as on the activities of the Office on this issue, including by presenting the recommended Principles and Guidelines on Human Rights and Human Trafficking developed by the Office;

7. *Calls upon* all Governments to cooperate with the Special Rapporteur and to consider responding favourably to his or her requests to visit their countries and to provide him or her with all the necessary information related to the mandate to enable him or her to fulfil the mandate effectively;

8. *Decides* to continue its consideration of this matter under the same agenda item.

28th meeting
18 June 2008

[Adopted without a vote.]

8/13. Elimination of discrimination against persons affected by leprosy and their family members

The Human Rights Council,

Recalling the provisions of the Universal Declaration of Human Rights, including article 1 that all human beings are born free and equal in dignity and rights, and that they are endowed with reason and conscience and should act towards one another in a spirit of brotherhood,

Recalling also the provisions of the International Covenant on Economic, Social and Cultural Rights, including article 12,

Taking note of the work of the Special Rapporteur on the right of everyone to enjoy the highest attainable standard of physical and mental health,

Noting the report of the Special Rapporteur on the right of everyone to enjoy the highest attainable standard of physical and mental health (A/58/427), in which he reported that persons affected by leprosy and their family members often suffer stigma and discrimination born of ignorance and prejudice,

Recognizing that more than 16 million people affected by leprosy have been cured worldwide since the 1980s and that leprosy as a disease has been scientifically and medically proven to be curable and manageable,

Recognizing also that tens of millions of people and their family members still suffer from leprosy not only as a disease but also from political, legal, economic or social discrimination and ostracization due to society's lack of knowledge and misguided notions, such as leprosy being incurable or hereditary, and that the issue of leprosy is not only a matter of medicine or health but also one of discrimination that can give rise to a clear violation of human rights,

Taking note of the previous work done by the Commission on Human Rights and its mechanism on discrimination against persons affected by leprosy and their family members,

Encouraging States to share best practices on combating discrimination against persons affected by leprosy and their family members and also on their efforts to achieve full recovery from and manage this disease,

1. *Affirms* that persons affected by leprosy and their family members should be treated as individuals with dignity and are entitled to all basic human rights and fundamental freedoms under customary international law, relevant conventions and national constitutions and laws;

2. *Calls upon* Governments to take effective measures to eliminate any type of discrimination against persons affected by leprosy and their family members, including awareness-raising;

3. *Requests* the Office of the United Nations High Commissioner for Human Rights to include the issue of discrimination against persons affected by leprosy and their family members as an important matter in its human rights education and awareness-raising activities;

4. *Also requests* the Office of the United Nations High Commissioner for Human Rights to collect information on the measures that Governments have taken to eliminate discrimination against persons affected by leprosy and their family members, and, if extra-budgetary funding is available, to hold a meeting to exchange views among relevant actors, including Governments, observers of the United Nations, relevant United Nations bodies, specialized agencies and programmes, non-governmental organizations, scientists, medical experts as well as representatives of persons affected by leprosy and their family members, and to transmit a report to the Council and the Human Rights Council Advisory Committee;

5. *Requests* the Human Rights Council Advisory Committee to examine the report referred to in paragraph 4 above, and formulate a draft set of principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members, and to submit it to the Council for its consideration by September 2009;

6. *Decides* to consider this issue based on these reports submitted to the Council in September 2009.

28th meeting
18 June 2008

[Adopted without a vote.]

8/14. Situation of human rights in Myanmar

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights, and reaffirming Council resolutions S-5/1 of 2 October 2007, 6/33 of 14 December 2007 and 7/31 of 28 March 2008,

Welcoming the report of the Special Rapporteur on the human rights situation in Myanmar (A/HRC/8/12) while calling on the Myanmar authorities to extend full cooperation to the Special Rapporteur, including by inviting him to visit Myanmar as soon as possible, *Being deeply concerned* that the urgent calls contained in the above-mentioned resolutions, as well as of other United Nations bodies concerning the human rights situation in Myanmar have not been met and further emphasizing that, without significant progress towards meeting these calls of the international community, the human rights situation in Myanmar will continue to deteriorate,

Expressing its condolences to those who suffered loss as a result of Cyclone Nargis, and welcoming the efforts of international, regional and national organizations to bring relief to the survivors of this natural disaster and noting the commitment made by the authorities of Myanmar, on 25 May, to grant unfettered access to relief workers to the affected areas,

Expressing also its deep concern that the country's political processes are not transparent, inclusive, free and fair, and at the decision of the Government of Myanmar to proceed with the constitutional referendum in an atmosphere of intimidation and in disregard with international standards of free and fair elections at a time of dire humanitarian need,

Being concerned about reported widespread violations of human rights and international humanitarian law in the Kayin State and Bago Division,

Being most concerned by the decision, once again, to extend the house arrest of the General Secretary of the National League for Democracy, Daw Aung San Suu Kyi, on 27 May 2008, and by reports that there are as many as 1,900 other political prisoners, many held without charge and in unknown locations,

Being concerned that no effort has been made to investigate and prosecute the perpetrators of the violent crackdown on peaceful mass demonstrations of September 2007 and of the ensuing human rights violations, including enforced disappearances, arbitrary detentions, torture and ill-treatment,

1. *Condemns* the ongoing systematic violations of human rights and fundamental freedoms of the people of Myanmar;

2. *Strongly urges* the Government of Myanmar to desist from further politically motivated arrests and to release all political prisoners without delay and without conditions;

3. *Calls upon* the Government to fully implement the commitments it has made to the Secretary-General on granting immediate, full and unhindered access by relief workers to all persons in need throughout the country, to cooperate fully with all humanitarian organizations, in particular in the Irrawaddy Delta, to refrain from sending people back to areas where they cannot have access to emergency relief and to ensure that return is voluntary and occurs in safety and with dignity;

4. *Strongly urges* the Government of Myanmar to end all forms of discrimination and protect civil, political, economic, social and cultural rights, on the basis of the Universal Declaration of Human Rights, and, in particular, to comply with its human rights obligations under the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child in this regard;

5. *Condemns* the recruitment of child soldiers into both the Government armed forces, contrary to its international obligations, and non-State armed groups, and calls for an absolute and immediate stop to this appalling activity;

6. *Calls for* a full, transparent, effective, impartial and independent investigation into all reports of human rights violations, including enforced disappearances, arbitrary detentions, torture, ill treatment, forced labour and forced displacement, and for bringing those responsible to justice in order to end impunity for violations of human rights;

7. *Strongly calls on* the Government of Myanmar to engage in a real process of dialogue and national reconciliation with the full and genuine participation of representatives of all political parties and ethnic groups who have been excluded from the political process;

8. *Expresses its strong support* for the good-offices mission and commitment of the Secretary-General, and encourages the Government of Myanmar to take early steps to admit his Special Representative on Myanmar, Ibrahim Gambari, to facilitate a genuine and inclusive political process, and calls on the Government of Myanmar to ensure full cooperation with the Secretary-General, his representative and the Special Rapporteur;

9. *Strongly urges* the Government of Myanmar to receive, as soon as possible, the Special Rapporteur and to cooperate fully with him to implement the recommendations contained in his reports (A/HRC/6/14, A/HRC/7/18, A/HRC/7/24 and A/HRC/8/12), as well as Council resolutions S-5/1, 6/33 and 7/31;

10. *Requests* the Special Rapporteur to report to the Council on the fulfilment of his mandate, and in particular, on the implementation of its relevant resolutions;

11. *Decides* to remain seized of this matter.

28th meeting
18 June 2008

[Adopted without a vote.]

B. DECISIONS

8/101. Outcome of the universal periodic review: Bahrain

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Bahrain on 7 April 2008, in conformity with all the relevant provisions contained in Council resolution 5/1, *Adopts* the outcome of the universal periodic review on Bahrain which is constituted of the report of the Working Group on the review of Bahrain (A/HRC/8/19 and Corr.1), together with the views of Bahrain concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI).

13th meeting
9 June 2008

[Adopted without a vote.]

8/102. Outcome of the universal periodic review: Ecuador

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Ecuador on 7 April 2008, in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Ecuador which is constituted of the report of the Working Group on the review of Ecuador (A/HRC/8/20 and Corr.1), together with the views of Ecuador concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI).

13th meeting
9 June 2008

[Adopted without a vote.]

8/103. Outcome of the universal periodic review: Tunisia

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Tunisia on 8 April 2008, in conformity with all the relevant provisions contained in Council resolution 5/1, *Adopts* the outcome of the universal periodic review on Tunisia which is constituted of the report of the Working Group on the review of Tunisia (A/HRC/8/21 and Corr.1), together with the views of Tunisia concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI).

14th meeting
9 June 2008

[Adopted without a vote.]

8/104. Outcome of the universal periodic review: Morocco

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Morocco on 8 April 2008 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Morocco which is constituted of the report of the Working Group on the review of Morocco (A/HRC/8/22 and Corr.1), together with the views of Morocco concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI).

14th meeting
9 June 2008

[Adopted without a vote.]

8/105. Outcome of the universal periodic review: Finland

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008, *Having conducted* the review of Finland on 9 April 2008 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Finland which is constituted of the report of the Working Group on the review of Finland (A/HRC/8/24), together with the views of Finland concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI and A/HRC/8/24/Add.1).

14th meeting
9 June 2008

[Adopted without a vote.]

8/106. Outcome of the universal periodic review: Indonesia

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Indonesia on 9 April 2008 in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Indonesia which is constituted of the report of the Working Group on the review of (A/HRC/8/23), together with the views of Indonesia concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI).

15th meeting
10 June 2008

[Adopted without a vote.]

8/107. Outcome of the universal periodic review: United Kingdom of Great Britain and Northern Ireland

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008, *Having conducted* the review of the United Kingdom of Great Britain and Northern Ireland on 10 April in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on the United Kingdom of Great Britain and Northern Ireland which is constituted of the report of the Working Group on the review of the United Kingdom of Great Britain and Northern Ireland (A/HRC/8/25), together with the views of the United Kingdom of Great Britain and Northern Ireland concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI and A/HRC/8/25/Add.1).

15th meeting
10 June 2008

[Adopted without a vote.]

8/108. Outcome of the universal periodic review: India

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of India on 10 April in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on India which is constituted of the report of the Working Group on the review of India (A/HRC/8/26), together with the views of India concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI and A/HRC/8/26/Add.1).

15th meeting
10 June 2008

[Adopted without a vote.]

8/109. Outcome of the universal periodic review: Brazil

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Brazil on 11 April in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Brazil which is constituted of the report of the Working Group on the review of Brazil (A/HRC/8/27), together with the views of Brazil concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI).

15th meeting
10 June 2008

[Adopted without a vote.]

8/110. Outcome of the universal periodic review: Philippines

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Philippines on 11 April in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Philippines which is constituted of the report of the Working Group on the review of Philippines (A/HRC/8/28), together with the views of Philippines concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI and A/HRC/8/28/Add.1).

16th meeting
10 June 2008

[Adopted without a vote.]

8/111. Outcome of the universal periodic review: Algeria

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Algeria on 14 April in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Algeria which is constituted of the report of the Working Group on the review of Algeria (A/HRC/8/29), together with the views of Algeria concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI).

16th meeting
10 June 2008

[Adopted without a vote.]

8/112. Outcome of the universal periodic review: Poland

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Poland on 14 April in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Poland which is constituted of the report of the Working Group on the review of Poland (A/HRC/8/30), together with the views of Poland concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI and A/HRC/8/30/Add.1).

16th meeting
10 June 2008

[Adopted without a vote.]

8/113. Outcome of the universal periodic review: Netherlands

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of the Netherlands on 15 April in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on the Netherlands which is constituted of the report of the Working Group on the review of the Netherlands (A/HRC/8/31), together with the views of the Netherlands concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI and A/HRC/8/31/Add.1).

17th meeting
11 June 2008

[Adopted without a vote.]

8/114. Outcome of the universal periodic review: South Africa

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of South Africa on 15 April in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on South Africa which is constituted of the report of the Working Group on the review of South Africa (A/HRC/8/32), together with the views of South Africa concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI).

17th meeting
11 June 2008

[Adopted without a vote.]

8/115. Outcome of the universal periodic review: Czech Republic

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of the Czech Republic on 16 April in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on the Czech Republic which is constituted of the report of the Working Group on the review of the Czech Republic (A/HRC/8/33), together with the views of the Czech Republic concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI and A/HRC/8/33/Add.1).

17th meeting
11 June 2008

[Adopted without a vote.]

8/116. Outcome of the universal periodic review: Argentina

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Argentina on 16 April in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Argentina which is constituted of the report of the Working Group on the review of Argentina (A/HRC/8/34 and Corr.1), together with the views of Argentina concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI).

18th meeting
11 June 2008

[Adopted without a vote.]

8/117. Outcome of the universal periodic review: Gabon

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Gabon on 5 May in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Gabon which is constituted of the report of the Working Group on the review of Gabon (A/HRC/8/35), together with the views of Gabon concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI).

18th meeting
11 June 2008

[Adopted without a vote.]

8/118. Outcome of the universal periodic review: Ghana

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Ghana on 5 May in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Ghana which is constituted of the report of the Working Group on the review of Ghana (A/HRC/8/36), together with the views of Ghana concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI).

18th meeting
11 June 2008

[Adopted without a vote.]

8/119. Outcome of the universal periodic review: Guatemala

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Guatemala on 6 May in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Guatemala which is constituted of the report of the Working Group on the review of Guatemala (A/HRC/8/38), together with the views of Guatemala concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI).

18th meeting
11 June 2008

[Adopted without a vote.]

8/120. Outcome of the universal periodic review: Peru

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Peru on 6 May in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Peru which is constituted of the report of the Working Group on the review of Peru (A/HRC/8/37), together with the views of Peru concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI).

19th meeting
12 June 2008

[Adopted without a vote.]

8/121. Outcome of the universal periodic review: Benin

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Benin on 7 May in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Benin which is constituted of the report of the Working Group on the review of Benin (A/HRC/8/39), together with the views of Benin concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI).

19th meeting
12 June 2008

[Adopted without a vote.]

8/122. Outcome of the universal periodic review: Switzerland

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Switzerland on 8 May in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Switzerland which is constituted of the report of the Working Group on the review of Switzerland (A/HRC/8/41), together with the views of Switzerland concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI and A/HRC/8/41/Add.1).

19th meeting
12 June 2008

[Adopted without a vote.]

8/123. Outcome of the universal periodic review: Republic of Korea

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of the Republic of Korea on 7 May in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on the Republic of Korea which is constituted of the report of the Working Group on the review of the Republic of Korea (A/HRC/8/40), together with the views of the Republic of Korea concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI and A/HRC/8/40/Add.1).

19th meeting
12 June 2008

[Adopted without a vote.]

8/124. Outcome of the universal periodic review: Pakistan

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Pakistan on 8 May in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Pakistan which is constituted of the report of the Working Group on the review of Pakistan (A/HRC/8/42), together with the views of Pakistan concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI and A/HRC/8/42/Add.1).

20th meeting
12 June 2008

[Adopted without a vote.]

8/125. Outcome of the universal periodic review: Zambia

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Zambia on 9 May in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Zambia which is constituted of the report of the Working Group on the review of Zambia (A/HRC/8/43), together with the views of Zambia concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI and A/HRC/8/43/Add.1).

20th meeting
12 June 2008

[Adopted without a vote.]

8/126. Outcome of the universal periodic review: Japan

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Japan on 9 May in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Japan which is constituted of the report of the Working Group on the review of Japan (A/HRC/8/44), together with the views of Japan concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI and A/HRC/8/44/Add.1).

20th meeting
12 June 2008

[Adopted without a vote.]

8/127. Outcome of the universal periodic review: Ukraine

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Ukraine on 13 May in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Ukraine which is constituted of the report of the Working Group on the review of Ukraine (A/HRC/8/45), together with the views of Ukraine concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI).

20th meeting
12 June 2008

[Adopted without a vote.]

8/128. Outcome of the universal periodic review: Sri Lanka

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Sri Lanka on 13 May in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Sri Lanka which is constituted of the report of the Working Group on the review of Sri Lanka (A/HRC/8/46), together with the views of Sri Lanka concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI and A/HRC/8/46/Add.1).

21st meeting
13 June 2008

[Adopted without a vote.]

8/129. Outcome of the universal periodic review: France

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of France on 14 May in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on France which is constituted of the report of the Working Group on the review of France (A/HRC/8/47), together with the views of France concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI and A/HRC/8/47/Add.1).

21st meeting
13 June 2008

[Adopted without a vote.]

8/130. Outcome of the universal periodic review: Tonga

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Tonga on 14 May in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Tonga which is constituted of the report of the Working Group on the review of Tonga (A/HRC/8/48), together with the views of Tonga concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI).

21st meeting
13 June 2008

[Adopted without a vote.]

8/131. Outcome of the universal periodic review: Romania

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Romania on 15 May in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Romania which is constituted of the report of the Working Group on the review of Romania (A/HRC/8/49), together with the views of Romania concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI and A/HRC/8/49/Add.1).

22nd meeting
13 June 2008

[Adopted without a vote.]

8/132. Outcome of the universal periodic review: Mali

The Human Rights Council,

Acting in compliance with the mandate entrusted to it by the General Assembly in its resolution 60/251 of 15 March 2006 and Council resolution 5/1 of 18 June 2007, and in accordance with the President's statement PRST/8/1 on modalities and practices for the universal periodic review process of 9 April 2008,

Having conducted the review of Mali on 15 May in conformity with all the relevant provisions contained in Council resolution 5/1,

Adopts the outcome of the universal periodic review on Mali which is constituted of the report of the Working Group on the review of Mali (A/HRC/8/50), together with the views of Mali concerning the recommendations and/or conclusions, as well as its voluntary commitments and its replies presented before the adoption of the outcome by the plenary to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group (A/HRC/8/52, chap. VI and A/HRC/8/50/Add.1).

22nd meeting
13 June 2008

[Adopted without a vote.]

C. PRESIDENT'S STATEMENTS

PRST/8/1. Modalities and practices for the universal periodic review process

On 9 April 2008, the President of the Council made a statement reading as follows:

I. Modalities of work for troika members before the session of the Working Group on the Universal Periodic Review

1. States that wish to raise questions and/or issues with the State under review may do so via the troika, which shall relay them to the Secretariat. These questions and/or issues should conform to the basis of the review, as identified by the Human Rights Council in paragraph 1 of the annex to its resolution 5/1 on institution-building of the Council, and shall be raised in a manner that is consistent with the principles and objectives of the universal periodic review, as stated in resolution 5/1, and be based mainly on the three universal periodic review documents.

2. The Secretariat shall then transmit all questions and/or issues to the State under review no later than 10 working days before the date of the review in the Working Group on the Universal Periodic Review.

3. The troika members shall cluster the questions and/or issues in accordance with the content and the structure of the report prepared by the State under review.

4. As the universal periodic review is, inter alia, a transparent process, the questions and/or issues will be circulated among Member and Observer States after being relayed to the State under review.

5. The State under review is sovereign in addressing the questions and/or issues it chooses to answer of those transmitted to it by the troika members or raised during the proceedings of the Working Group.

II. Modalities for the review in the Working Group

6. The interactive dialogue of the universal periodic review exercise takes place solely in the Working Group of the Universal Periodic Review.

7. The State under review will be given up to 60 minutes in the Working Group, to be used for:

(a) Initial presentation of the national report / responses to written questions;

(b) Replies to the questions raised from the floor during the interactive dialogue, if desired;

(c) Concluding comments at the end of the review, in an interactive dialogue under the guidance of the President.

III. Report of the Working Group

8. The Working Group shall prepare a factual report of its proceedings, consisting of a summary of the interactive dialogue, which will reflect recommendations and/or conclusions made by delegations during the interactive dialogue.

9. The report of the Working Group shall be prepared by the troika by fully involving the State under review and with the assistance of the Secretariat.

10. The State under review is expected to examine all recommendations made, in accordance with the provisions of the annex to Council resolution 5/1. In all cases, the recommendations that enjoy the support of the State under review are to be identified as such. Other recommendations, together with the comments of the State under review, are to be noted. Both will be included in the report of the Working Group, to be adopted by the Council at its plenary session. The State under review is expected to follow up on the recommendations that enjoy its support as well as on voluntary commitments and pledges.

11. The State under review will inform the Council about its views concerning the recommendations and/or conclusions as well as voluntary commitments/pledges whenever it is in a position to do so, during the meeting of the Working Group, or between the session of the Working Group and the next session of the Council, or during the meeting of the Council at its plenary session.

IV. Modalities at the plenary session

12. The review process starts at Working Group level and ends with the adoption of the outcome of the review by the Council at its plenary session.

13. The report of the Working Group, together with the views of the State under review concerning the recommendations and/or conclusions, as well as voluntary commitments made by the State under review and replies presented by the State under review before the adoption of the outcome by the Council at its plenary session to questions or issues that were not sufficiently addressed during the interactive dialogue in the Working Group, will constitute the outcome of the review, which shall be adopted by the Council at its plenary session through a standardized decision.

14. A summary of the views expressed on the outcome of the review by the State under review and of Member and Observer States of the Council, as well as general comments made by other relevant stakeholders before the adoption of the outcome by the plenary, will be included in the report of the Council session.

V. General modalities

15. Only the three documents mentioned in paragraph 15 of the annex to Council resolution 5/1 as constituting the basis of the review will be posted on the Extranet.

16. The Council will consider favourably the adoption of a decision on the webcasting of all public proceedings of its various working groups, taking into account the principles of transparency, equal treatment and non-selectivity.

PRST/8/2. Terms of office of special procedures mandate-holders

At the 27th meeting, on 18 June 2008, the President of the Council made a statement reading as follows:

> 1. In accordance with General Assembly resolution 60/251 and Human Rights Council resolution 5/1, a special procedures mandate-holder's tenure shall not exceed six years in a particular position (two terms of three years for thematic procedures).
>
> 2. The Council guarantees the integrity and independence of the system of special procedures. It will also follow up on the implementation of the code of conduct for special procedures mandate-holders, as contained in Council resolution 5/2.
>
> 3. In this regard, the President will convey to the Council any information brought to his or her attention, including that by States and/or by the coordination committee of special procedures, concerning cases of persistent non-compliance by a mandate-holder with the provisions of Council resolution 5/2, especially prior to the renewal of mandate-holders in office.
>
> 4. The Council will consider such information and act upon it as appropriate. In the absence of the above-mentioned information, the terms in office of the mandate-holders shall be extended for a second three-year term by the Council.

IV. Fifth special session

S-5/1. Situation of human rights in Myanmar

The Human Rights Council,

Guided by the principles and objectives of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights and recalling General Assembly resolution 60/251 of 15 March 2006 and Commission on Human Rights resolution 2005/10 of 14 April 2005,

Deeply concerned at the situation of human rights in Myanmar,

Recalling that everyone has the right to take part in the government of their country, directly or through freely chosen representatives, the right to freedom of opinion and expression and the right to freedom of peaceful assembly and association,

1. *Strongly deplores* the continued violent repression of peaceful demonstrations in Myanmar, including through beatings, killings, arbitrary detentions and enforced disappearances, expresses condolences to the victims and their families, and urges the Government of Myanmar to exercise utmost restraint and to desist from further violence against peaceful protesters;

2. *Urges* the Government of Myanmar to ensure full respect for human rights and fundamental freedoms and to investigate and bring to justice perpetrators of human rights violations, including for the recent violations of the rights of peaceful protesters;

3. *Also urges* the Government of Myanmar to release without delay those arrested and detained as a result of the recent repression of peaceful protests, as well as to release all political detainees in Myanmar, including Daw Aung San Suu Kyi, and to ensure that conditions of detention meet international standards and include the possibility of visiting any detainee;

4. *Further urges* the Government of Myanmar to lift all restraints on peaceful political activity of all persons by, inter alia, guaranteeing freedom of peaceful assembly and association and freedom of opinion and expression, including for free and independent media, and to ensure unhindered access to media information for the people of Myanmar;

5. *Welcomes* the decision of the Government of Myanmar to receive a visit by the Special Envoy to Myanmar of the Secretary-General, Ibrahim Gambari, and calls upon the Government of Myanmar to cooperate fully with him to find a peaceful solution;

6. *Urges* the Government of Myanmar to engage urgently in a reinvigorated national dialogue with all parties with a view to achieving genuine national reconciliation, democratization and the establishment of the rule of law;

7. *Encourages* the Government of Myanmar and the Office of the High Commissioner for Human Rights to engage in a dialogue with a view to ensuring full respect for all human rights and fundamental freedoms;

8. *Urges* the Government of Myanmar to cooperate fully with humanitarian organizations, including by ensuring full, safe and unhindered access of humanitarian assistance to all persons in need throughout the country;

9. *Requests* the Special Rapporteur on the situation of human rights in Myanmar to assess the current human rights situation and to monitor the implementation of this resolution, including by seeking an urgent visit to Myanmar, and to report to the resumed sixth session of the Human Rights Council, and in this respect urges the Government of Myanmar to cooperate with the Special Rapporteur;

10. *Also requests* the Special Rapporteur on the situation of human rights in Myanmar to inform the General Assembly at its sixty-second session on progress in this regard;

11. *Decides* to remain seized of this matter.

2nd meeting
2 October 2007

[Adopted without a vote.]

V. Sixth special session

S-6/1. Human rights violations emanating from Israeli military attacks and incursions in the Occupied Palestinian Territory, particularly in the occupied Gaza Strip

The Human Rights Council,

Guided by the principles and objectives of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights,

Affirming the applicability of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem,

Recognizing that the Israeli military attacks and incursions in the Occupied Palestinian Territory, particularly the recent ones in the occupied Gaza Strip and the West Bank city of Nablus, constitute grave violations of the human and humanitarian rights of the Palestinian civilians therein, exacerbate the severe humanitarian crisis in the Occupied Palestinian Territory and undermine international efforts, including the Annapolis Conference and the Paris Donors' Conference for the Palestinian State, aimed at invigorating the peace process and establishing a viable, contiguous, sovereign and independent Palestinian State by the end of 2008,

Recognizing also that the Israeli siege imposed on the occupied Gaza Strip, including the closure of the border crossings and the cutting of the supply of fuel, food and medicine, constitutes collective punishment of the Palestinian civilians and leads to disastrous humanitarian and environmental consequences,

1. *Expresses grave concern* at the repeated Israeli military attacks carried out in the Occupied Palestinian Territory, particularly in the occupied Gaza Strip, which have resulted in loss of life and injuries among Palestinian civilians, including women and children;

2. *Calls for* urgent international action to put an immediate end to the grave violations committed by the occupying Power, Israel, in the Occupied Palestinian Territory, including the series of incessant and repeated Israeli military attacks and incursions therein and the siege of the occupied Gaza Strip;

3. *Demands* that the occupying Power, Israel, lift immediately the siege it has imposed on the occupied Gaza Strip, restore continued supply of fuel, food and medicine and reopen the border crossings;

4. *Calls for* immediate protection of the Palestinian civilians in the Occupied Palestinian Territory in compliance with human rights law and international humanitarian law;

5. *Urges* all parties concerned to respect the rules of human rights law and international humanitarian law and to refrain from violence against the civilian population;

6. *Requests* the United Nations High Commissioner for Human Rights to report to the Council, at its next session, on the progress made in the implementation of the present resolution.

2nd meeting
24 January 2008

[Resolution adopted by a recorded vote of 30 to 1, with 15 abstentions. The voting was as follows:

In favour: Angola, Azerbaijan, Bangladesh, Bolivia, Brazil, China, Cuba, Djibouti, Egypt, India, Indonesia, Jordan, Madagascar, Malaysia, Mali, Mauritius, Mexico, Nicaragua, Nigeria, Pakistan, Peru, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, South Africa, Sri Lanka, Uruguay, Zambia.

Against: Canada.

Abstaining: Bosnia and Herzegovina, Cameroon, France, Germany, Ghana, Guatemala, Italy, Japan, Netherlands, Republic of Korea, Romania, Slovenia, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland.]

VI. Seventh special session

S-7/1. The negative impact of the worsening of the world food crisis on the realization of the right to food for all

The Human Rights Council,

Recalling all previous resolutions and decisions on the issue of the right to food adopted in the framework of the United Nations, in particular by the General Assembly, in its resolution 62/164 of 18 December 2007, and the Human Rights Council, in its resolution 7/14 of 27 March 2008,

Recalling also paragraph 10 of General Assembly resolution 60/251, in which the Assembly stipulates, inter alia, that the Human Rights Council shall be able to hold special sessions, when needed, at a request of a member of the Council with the support of one third of the membership of the Council,

Recalling further the Universal Declaration of Human Rights, including its provision that everyone has the right to a standard of living adequate for the health and well-being of himself or herself and that of his or her family, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition and the United Nations Millennium Declaration, in particular the first Millennium Development Goal of eradicating hunger and extreme poverty by 2015,

Recalling the provisions of the International Covenant on Economic, Social and Cultural Rights, especially its article 11 (2), which recognize the fundamental right of every person to be free from hunger, and the duty of States to take, individually and through international cooperation, the measures needed to implement this right by improving the methods of production, conservation and distribution of food,

Bearing in mind the Rome Declaration on World Food Security and the World Food Summit Plan of Action of November 1996, and the Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,

Bearing in mind also the New York Declaration on Action against Hunger and Poverty, and recommending the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty,

Reaffirming the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated, and that they must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming further that a peaceful, stable and enabling political, social and economic environment, at both the national and international levels, is the essential foundation that will enable States to give adequate priority to food security and poverty eradication, *Recognizing* the complex character of the worsening of the current global food crisis, in which the right to adequate food is threatened to be violated on a massive scale, as a combination of several major factors, including macroeconomic factors, also impacted negatively by environmental degradation, desertification and global climate change, natural disasters and the lack of the necessary technology to confront its impact, particularly in developing countries and least developed countries,

Bearing in mind the situation of one sixth of the world population, mainly in developing and least developed countries, suffering from hunger, malnutrition and food insecurity, and alarmed at the particular effects of the current global food crisis on many net food importing countries, and especially on least developed countries in Africa, Asia and Latin America and the Caribbean,

Stressing that the international community should provide its assistance to populations in need in an effective and coordinated manner, with the consent and in principle on the basis of the appeal by the affected country, in order to ensure that such humanitarian assistance, including the supply of food, reaches affected populations,

Acknowledging the United Nations Task Force established by the Secretary-General, and supporting the Secretary-General to continue his efforts in this regard,

1. *Expresses grave concern* at the worsening of the world food crisis, which seriously undermines the realization of the right to food for all;

2. *Also expresses grave concern* that this crisis threatens to further undermine the achievement of Millennium Development Goals, in particular Goal 1 aiming at halving by 2015 the proportion of people who suffer from hunger;

3. *Calls upon* States, individually and through international cooperation and assistance, relevant multilateral institutions and other relevant stakeholders, to take all necessary measures to ensure the realization of the right to food as an essential human rights objective, and to consider reviewing any policy or measure which could have a negative impact on the realization of the right to food, particularly the right of everyone to be free from hunger, before instituting such a policy or measure;

4. *Stresses* that States have a primary obligation to make their best efforts to meet the vital food needs of their own populations, especially of the vulnerable groups and households, such as through enhancing programmes to combat mother-child malnutrition, and to increase local production for this purpose, while the international community should provide, through a coordinated response and upon request, support to national and regional efforts by providing the necessary assistance for increasing food production, particularly through transfer of technology, as well as food crop rehabilitation assistance and food aid;

5. *Calls upon* States members of the United Nations and other relevant stakeholders to participate actively in the High-level Conference on World Food Security: the Challenges of Climate Change and Bioenergy, to be held from 3 to 5 June 2008, in Rome, organized by the Food and Agriculture Organization of the United Nations, while taking note of the results of the special meeting of the Economic and Social Council on this issue, held on 20 May 2008;

6. *Invites* the Food and Agriculture Organization of the United Nations to extend an invitation to the United Nations High Commissioner for Human Rights and to the Special Rapporteur on the right to food to attend and actively participate in the aforementioned High-level Conference, so as to help to mainstream a human rights perspective in the analysis of the world food crisis, with a focus on the realization of the right to food;

7. *Requests* the Special Rapporteur to make a presentation to the Council at its eighth session on his participation in the meeting mentioned in paragraph 5 above, and on his initial recommendations regarding actions required, at all levels, to promote, respect and protect the right to food and freedom from hunger in the midst of the current food crisis, when actions are called for to promote mid- and long-term food security;

8. *Also requests* the Special Rapporteur to present a report to the Council at its ninth session, inviting comments from States and other relevant actors, on the impact of the global food crisis on the protection of the right to food and the required remedies from a human rights perspective;

9. *Requests* the High Commissioner for Human Rights to bring the present resolution to the attention of all relevant international organizations and agencies;

10. *Requests* the Special Rapporteur on the right to food to continue reporting on further developments on this issue to the Council and the General Assembly;

11. *Decides* to remain seized of the implementation of the present resolution.

2nd meeting
22 May 2008

[Resolution adopted without a vote.]

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